

COLONIES (GENERAL).

FURTHER PAPERS

ON THE SUBJECT OF

SUNDAY LABOUR IN THE COLONIES.

(In continuation of [C.—6485] July 1891.)

Presented to both Houses of Parliament by Command of Her Majesty.
June 1893.



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COLONIES (GENERAL).

FURTHER PAPERS

ON THE SUBJECT OF

SUNDAY LABOUR IN THE COLONIES.

(*In continuation of* [C.—6485], *July 1891.*)

ST. HELENA.

No. 1.

LORD KNUTSFORD to GOVERNOR GREY WILSON.

(Answered by No. 12.)

SIR,

Downing Street, July 29, 1891.

IN the last paragraph of my Despatch, of the 27th of December last,* I promised that I would write to you again upon the subject of Sunday labour.

2. You will have learnt from my circular of the 11th instant,† that it is proposed to place restrictions upon the loading and unloading of cargo on Sunday in colonial ports where such restrictions are not already imposed; and in these circumstances I am not prepared to approve of the repeal of the “Desecration of the Sabbath Ordinance” in St. Helena.

Governor Grey Wilson, C.M.G.

I am, &c.
(Signed) KNUTSFORD.

GIBRALTAR.

No. 2.

SIR L. NICHOLSON to LORD KNUTSFORD.

(Received September 9, 1891.)

(Answered by No. 17.)

MY LORD,

Gibraltar, September 4, 1891.

I HAVE the honour to acknowledge the receipt of your Lordship's Circular Despatch of the 11th of July last,† and of its enclosures, which have had my careful consideration.

The enactment of an ordinance prohibiting, with certain exceptions, Sunday labour on vessels within this harbour, seems, I would most respectfully submit, inadvisable in this peculiarly situated Colony, for the following reasons:—

(1.) With the exception of coaling steamers in transit it is most rare that any work is performed on Sunday in the Bay, and this only on executive permit after special consideration.

(2.) The religion of the majority of the labouring population of Gibraltar and its neighbourhood is Roman Catholic, and they have no scruples in this connexion.

(3.) Gibraltar is essentially a port of call used by steamers for the purpose of coaling, and coal forms the staple of the colonial trade.

* Not printed.

† No. 5 in [C.—6485], July 1891.

(4.) If ships are prevented by legislation from taking in their needed supply of this article, or if their owners are called upon to pay for the privilege of so doing on Sunday, very serious delay will result in the first case, and in the latter masters will seek their supplies from Algiers and Malta, and, passing by this port, will thereby lessen an already decreasing trade from which are derived the chief revenues of the Colony.

I have never heard any complaints from the labourers themselves, or from masters of seamen of vessels, on account of any Sunday labour, and I venture to think that steps which may have seemed necessary in such ports as Hong Kong, are not so in Gibraltar, and that no legislation on this head is here either requisite or expedient.

I have the honour to transmit herewith the opinions of the Acting Attorney-General and of the Captain of the Port to whom the question has been referred.

I have, &c.

(Signed) **LOTHIAN NICHOLSON,**
The Right Hon. Lord Knutsford, G.C.M.G., General and Governor.
&c. &c. &c.

Enclosure 1 in No. 2.

From the ATTORNEY-GENERAL (ACTING) to the COLONIAL SECRETARY.

COLONIAL SECRETARY,

I AM humbly of opinion that the peculiar circumstances of this Colony render, as suggested by you, the legislation of Hong Kong, with regard to Sunday labour, undesirable and unnecessary.

Referring to the statistics given in the Blue Book for 1890, it will be observed that the total tonnage of shipping entered and cleared at this Port is as great if not greater than at such large commercial ports as Hong Kong and Singapore, while as compared with these colonies the imports and exports of Gibraltar are infinitesimal. Gibraltar is essentially a port of call used by steamers for the purpose of coaling, and the coal trade is the only substantial trade of the Colony.

I respectfully submit that if ships were prevented by legislation from coaling here on Sundays very serious delay and consequent loss would be caused to shipowners, with the serious risk, entailing loss to our revenue and suffering to our labouring classes, of shipowners electing to coal at some other port where the commerce of the place would make delay less unprofitable.

If, on the other hand, coaling of passing ships was considered a necessity and permits granted for such work, legislation against Sunday labour would then only provide against a very small evil, and exception by permit would be made for nearly all the labour which takes place in the Bay on Sundays. I am not in a position to state positively to what extent cargo is shipped in the Bay on that day, but I believe it is not the practice for merchants in Gibraltar to carry out any unnecessary labour on Sundays.

With regard to the labourers themselves, the coalheavers in Gibraltar have lately asserted themselves by means of strikes, and on some questions have succeeded against the masters, but they have not, I think, raised any complaint with regard to Sunday labour in the Bay.

(Signed) **A. W. FAWKES,**
Her Majesty's Attorney-General (Acting).

13th August 1891.

Enclosure 2 in No. 2.

From the CAPTAIN of the PORT to the COLONIAL SECRETARY.

THE COLONIAL SECRETARY,

SAVE the coaling of steamers in transit, it is only on very rare occasions that any other work is performed in the Bay on Sundays, and this only is sanctioned in exceptional cases and on special application. I therefore see no necessity for any restrictive enactment.

(Signed) **F. BAKER,**
Captain of the Port.

25th August 1891.

MALTA.

No. 3.

SIR H. A. SMYTH to LORD KNUTSFORD.

(Received October 15, 1891.)

(Answered by No. 18.)

MY LORD,

Palace, Valetta, October 9, 1891.

WITH reference to your Lordship's circular despatch of the 11th July last,* I have the honour to transmit herewith a translation of a letter from the Chamber of Commerce submitting the inexpediency in Malta of legislation restricting Sunday labour.

2. The contentions of the Chamber of Commerce appear to me, under the circumstances of Malta, correct; and as there would not be even a remote probability of legislation on the lines suggested in the circular despatch under reply being passed by the Council of Government, I consider that it would be unadvisable to propose such legislation until some considerable alteration shall have taken place in public opinion on this question.

I beg, therefore, to recommend that, for the present at least, no steps be taken in the matter as far as these Islands are concerned.

I have, &c.

(Signed) H. A. SMYTH,
Governor.To the Right Hon. Lord Knutsford, G.C.M.G.,
&c. &c. &c.

Enclosure in No. 3.

Chamber of Commerce, La Valetta,
September 26, 1891.

SIR,

THE attention of this Chamber of Commerce has been called to the circular transmitted by the Right Honourable Secretary of State for the Colonies to his Excellency the Governor, on the 11th July last, having reference to Sunday labour in the Colonies.

This circular, which has been published by the "Malta Standard," in its issue No. 727, of the 18th instant, suggests that steps should be taken in this Island to prevent the loading and discharging of goods on Sundays.

The Chamber of Commerce, having taken note of the Despatch of the 4th September 1890, transmitted by his Excellency the Governor to the Right Honourable Secretary of State for the Colonies, begs to submit, for the consideration of his Excellency, that:—

1st. Considering the geographical position of this Island, surrounded by rival ports that lose no opportunity of trying to attract the transit of steamers which still make Malta their port of call for their supplies, any legislation framed to transfer trade in the sense suggested by the Right Honourable Secretary of State for the Colonies would redound to the detriment of the Island in general, and still more so to British trade in its commercial intercourse with our harbour, and it would favour and encourage furthermore the competition of neighbouring foreign ports.

2nd. The loading and discharging of goods and coals in Malta is nearly always done by local labourers, and not by the crews.

3rd. Besides, it should not be overlooked that close holidays here are nearly double the number of Sundays in the year, and that if labour is forbidden on Sundays, it would hence follow that labour on holidays would be suspended likewise. It has been precisely these considerations that have moved the local ecclesiastical authorities, after serious and mature discussions, to recognise these exceptional circumstances of this Island, and that it was absolutely necessary to allow labourers to work on board steamers on Sundays and holidays.

4th. Finally, the actual dull state of trade in this Island should not be lost sight of, and rather than throwing obstacles in the way it is urgent that, on the contrary, all means should be resorted to in order to encourage and facilitate commercial transactions.

* No. 5 in [C.—6485], July 1891.

The Chamber of Commerce, in submitting the above remarks to the most serious consideration of his Excellency the Governor, hopes that he will be pleased to point out to the Right Honourable Secretary of State for the Colonies the serious prejudice that would result not only to trade, but also to the Island in general, if any legislation were enacted according to the suggestions of the circular of the 11th July last.

To the Hon. Count G. Strickland, C.M.G.,
 Chief Secretary to Government,
 &c. &c. &c.

I have, &c.
 (Signed) G. NICOSIA,
 Secretary.

BARBADOS.

No. 4.

ACTING GOVERNOR TONGUE to LORD KNUTSFORD.
 (Received October 21, 1891.)
 (Answered by No. 21.)

MY LORD, Government House, September 29, 1891.
 I HAVE the honour to acknowledge the receipt of Your Lordship's circular despatch of the 11th of July last,* enclosing a copy of an ordinance recently passed at Hong Kong to restrict the loading and unloading of cargo on Sundays, and requesting that the advisability of enacting a similar measure in this Colony should be considered.
 2. This matter has received the most careful consideration of the Government and of the Executive Committee, and it has been decided that as Sunday labour in this port is very infrequent, and only undertaken in cases of necessity, it is not desirable to introduce a measure similar to the ordinance passed in Hong Kong.

I have, &c.
 (Signed) J. M. GURNELL TONGUE,
 Major-General, Acting Governor.

The Right Hon. Lord Knutsford, G.C.M.G.,
 &c. &c. &c.

MAURITIUS.

No. 5.

SIR C. C. LEES to LORD KNUTSFORD.
 (Received November 2, 1891.)
 (Answered by No. 19.)

MY LORD, Government House, Mauritius,
 October 8, 1891.
 WITH reference to your Lordship's circular despatch of the 11th of July last, transmitting a copy of an ordinance recently passed at Hong Kong, to restrict the loading and unloading of cargo on Sunday in the waters of that Colony, and requesting me to consider the advisability of enacting a similar measure in Mauritius, I have the honour to report that I submitted the question to the Executive Council, and that the Council have advised that legislation in this direction is not necessary, seeing that the loading or unloading of cargoes in the waters of the Colony is now prohibited, as, by Schedule A. of Ordinance No. 4 of 1881, Sunday is a public holiday, and seeing that no work is carried on on that day unless in very exceptional circumstances, with the written permission of the Collector of Customs.

2. I may mention that this practice will be legalised by the New Customs Ordinance, which is now before the Council of Government, and I therefore concur with the Executive Council in thinking further legislation on the subject unnecessary.

I have, &c.
 (Signed) C. C. LEES,
 Governor.

The Right Hon. Lord Knutsford, G.C.M.G.,
 &c. &c. &c.

SIERRA LEONE.

No. 6.

ACTING GOVERNOR CROOKS to LORD KNUTSFORD.

(Received November 9, 1891.)

(Continued by No. 13.)

Government House, Freetown, Sierra Leone,

October 19, 1891.

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's circular despatch of 11th July last,* relative to Sunday labour in colonial ports, and requesting me to consider the advisability of enacting a similar measure in the Colony under my administration, and, if I see no objection to such a course, to take steps for introducing the necessary ordinance.

2. In reply, I beg to report that as I thought it advisable to introduce such a measure here, I requested the Queen's Advocate to prepare a draft bill on the lines of the Hong Kong Ordinance. The bill was submitted to the consideration of the Legislative Council on the 12th ultimo, and it will be observed from the enclosed extracts from the Minutes of Council that, after it had passed a second reading, it was found necessary to adjourn *sine die* the consideration of the same; and in the circumstances it is inadvisable to proceed further with the bill.

The Right Hon. Lord Knutsford, G.C.M.G.,
&c. &c. &c.

I have, &c.
(Signed) J. J. CROOKS,
Administrator.

Enclosure 1 in No. 6.

(Extract.)

Legislative Council Chamber,
September 19, 1891.

By direction of his Excellency the clerk read a petition, dated 19th September 1891, addressed to his Excellency the Administrator and the honourable the Legislative Council by certain merchants, owners, or agents of or for steamers and other vessels plying in and out of the Port of Freetown, praying the Council Board to postpone for a little time the second reading of the Bill entitled "An Ordinance to restrict the loading and unloading of cargo on Sunday in the waters of the Colony of Sierra Leone," in order that they might be enabled to give its proposed provisions due consideration.

The honourable the Queen's Advocate observed that as the petition does not affect the principle of the bill, the second reading should be proceeded with, and that any recommendation or suggestion the petitioners might have to make could be considered in committee stage.

On rising to move the second reading of the bill, the honourable the Queen's Advocate said that the introduction of the bill was due to instructions received from the Right Honourable the Secretary of State. The object of the bill was to diminish Sunday labour and not to forbid it entirely by compulsory legislation. The principle of it was founded on the ground that every working man has a right to one day's rest in the week.

The inhabitants of the Colony, being Sunday observers, are opposed to Sunday labour, but with the influx of the aborigines into the Colony, there is a tendency, owing to labour competition, to a non-observance of the Lord's Day. The effect of this bill if passed into law would be to check this retrogressive move and preserve the status quo.

It might, he said, be well to remind honourable members that by the Act for the better observance of the Lord's Day (29 Car. 2. c. 7. s. 1.), it is provided amongst other things, that no labourer or other person shall do or exercise any worldly labour, business, or work of his ordinary calling upon the Lord's Day.

The bill, therefore, was in accord with the statute law, and he had much pleasure in moving the second reading of the bill, and that it be taken as read a second time.

Seconded by the honourable the Colonial Treasurer, and carried.

Bill passed second reading. The honourable the Queen's Advocate then moved that the further consideration of the bill in committee be adjourned till Saturday next the 26th instant.

Seconded by the honourable the Colonial Treasurer, and carried.

* No. 5 in [C.—6485], July 1891.

Enclosure 2 in No. 6.

(Extract.)

Legislative Council Chamber,
September 26, 1891.

The clerk read a petition of the *Compagnie Francaise de l'Afrique Occidentale*, dated 23rd September 1891, praying that the steamers of the *Chargeurs Réunis Fraissinet Cie.* may be exempted from the provisions of the Bill, entitled "An Ordinance to restrict the loading and unloading of cargo on Sunday in the waters of Sierra Leone"; also a further letter from the same firm forwarding certain documents in support of the petition.

The clerk also read a communication from Messrs. Fisher and Randall and others, submitting suggestions, &c. with regard to the Bill "to restrict the loading and unloading of cargo on Sunday in the Colony of Sierra Leone."

On the order of the day being read, his Excellency suggested that the petitions be circulated among honourable members and the Honourable the Queen's Advocate moved that the Committee stage of the Sunday Labour Bill be adjourned sine die.

Seconded by his Honour the Chief Justice, and carried.

The Honourable Samuel Lewis, in seconding [supporting?] the motion, was glad of the opportunity which it gave him of making a few observations, which his absence on the motion for the second reading of the Bill precluded him from offering. Viewing the Bill, as he did, with strong disfavour, his hope in seconding the present motion was the further consideration which it would enable the Government to make of the object and effect of the Bill, with the light of the representations now submitted in the two petitions, would result in an abandonment of the measure. A primary objection to it was that, whereas it appeared to proceed on the high ground of preventing the desecration of the Sabbath, it provided for a general licensing of the very evil for money payment in the shape of prescribed fees. From the note of the speech of the Queen's Advocate, which had just been read from the minutes, it would appear that the Government did not wish to prevent the alleged evil altogether. He, Mr. Lewis, saw from the remark the explanation of the provision for the payment of the fees, which were made so low that it might in a way become a fiscal measure for increasing revenue. But he would submit that in the estimation of everybody such a principle of legislation would be regarded as wrong. If the Sunday shipping was wrong, nobody should be allowed to pay any money as an indulgence for committing the wrong. This is the view of merchants in their petition, and hence they proposed to make the fees so high as to render it next to impossible for any person to pay it, and they would not agree to the provision which gave to the Governor in Council the power of reducing the fees. The object of prevention was one which, if it were expedient, could be obtained by an absolute prohibition of the Sunday traffic, excepting, of course, for the case of emergency to which the merchants' petition invited attention. He, Mr. Lewis, submitted that, viewed in its true light, which shows that if any action were necessary it was prohibition and not licence, the Bill ought to be considered an expedient measure at the least, yet, having the question of the revenue of the Colony to consider, the Government would not desire to prevent the traffic. It was, therefore, illogical for the Queen's Advocate, in support of the Bill to quote Statute of Charles II., which prohibits Sunday working of labourers, or to ignore that Statute, which was in force here, and to do by the Bill the very thing which the Statute made illegal. He, Mr. Lewis, though a Sabbatarian, had to consider, as a legislative councillor, how to provide adequate revenue for the Government. He had seen no evil calling for any special remedy for the observers of the Lord's Day. Those who did not want to work were not compelled. But the exigency of the trade of the Colony and the shipping service often required the performance of work on Sundays. After considerable time and thought expended upon the grant of concession to shipping, as a means of increase to our revenue, which had fallen very low, and after achieving much success, which is evidenced by the recent increase of shipping and of revenue as a result, we were without any reason, except that the people of Hong Kong thought that their circumstances justified their passing a measure, now going to follow their example, and destroy the work which we had recently done.

The Secretary of State's Despatch was misunderstood if it was regarded as giving any peremptory direction for passing the measure. He merely said that if there were no objection, a Bill similar to that of Hong Kong might be passed. He, Mr. Lewis, had just read in "St. James's Review" a paragraph stating that the Home Government had disallowed the Hong Kong Ordinance on the subject.

Anyway, he, Mr. Lewis, would ask that we should look at the circumstances of this Colony.

The petition presented on behalf of the French Mail Service furnished already some evidence of the difficulty which would arise were the Bill to pass into law.

The withdrawal of the French lines of steamers, which at present brought about 600*l.* per annum of revenue to the Colony, was a substantial matter of consideration for those who had to devise ways and means, and his, Mr. Lewis's, own opinion was that the prayer of that petition should be entertained.

But why make a concession to one line, the other would naturally ask. Surely, means would soon be provided for securing for providing similar concession for every ship, and then when the flow of revenue was again disturbed, we would be asked to consider measures of taxation of the people to supply revenue which we had thrown away.

* * * * *

JAMAICA.

No. 7.

ACTING GOVERNOR BLACK to LORD KNUTSFORD.

(Received November 20, 1891.)

(Answered by No. 22.)

King's House, Jamaica,

October 21, 1891.

MY LORD,

I HAVE the honour to acknowledge the receipt of your circular despatch, dated the 11th July last,* transmitting a copy of correspondence presented to Parliament on the subject of Sunday labour in the Colonies, together with a copy of an ordinance passed at Hong Kong, restricting the loading and unloading of cargo on Sunday, and requesting me to consider the advisability of enacting a similar measure in Jamaica.

2. In reply, I beg to inform your Lordship that the introduction of such a measure does not seem necessary in this Colony, where Sunday labour is most unusual.

I have, &c.

(Signed)

W. BLACK, Maj.-Gen.,

Administering the Government.

The Right Hon. Lord Knutsford, G.C.M.G.,

&c.

&c.

&c.

CEYLON.

No. 8.

SIR A. E. HAVELOCK to LORD KNUTSFORD.

(Received December 21, 1891.)

(Answered by No. 23.)

Queen's House, Colombo, Ceylon,

November 29, 1891.

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's circular despatch of the 11th July last, transmitting a copy of an ordinance, recently passed at Hong Kong, to restrict the loading and unloading of cargo on Sunday in the waters of that Colony, and desiring me to consider the advisability of enacting a similar ordinance in this Colony.

2. In reply I have the honour to submit the following observations for your Lordship's consideration.

3. Sunday labour is not generally allowed in the ports of the Colony, but with the intention of facilitating the despatch of steamers, especially of steamers belonging to such companies as are subsidised by the Government for conveying mails, the 79th section of the Customs Ordinance, No. 17, of 1869, empowers the Governor, with the advice of the Executive Council, to make special regulations relating to the entry inwards and outwards, and to the landing, shipping, and transshipping of goods; and such regulations when duly published, "shall" in the words of the Ordinance, "have" the same effect in law as if they formed part of the Ordinance."

4. Your Lordship will observe from the regulations published in the "Gazette," and dated the 4th October 1870, a copy of which is enclosed, that mail and other steamers, the agents of which have given timely notice to the collector of the port, are permitted to work after office hours, during the night, and on *Sundays*, on a guarantee for the

* No. 5 in [C.—6485], July 1891.

payment of the fees of the several officers whom the Collector of Customs may think necessary to appoint for the required service.

5. Further, "when officers are required for Sunday work," application should be made by the agents of the steamer "on the day previous," and then "the officers" should be directed to be in attendance, and not to leave the town during the "following day."

6. Although there exists no legal prohibition against working on Sundays, it is obvious from the foregoing remarks that Sunday is not considered an ordinary working day in the customs, and, in fact, no work is done except for steamers under the regulations before referred to. But when the "timely notice," required by the regulations has been given, work of every kind is allowed; the warehouses are opened, and the usual labour necessary to ordinary shipping, discharging and transhipping operations, goes on.

7. Colombo is not, like Hong Kong is, a terminal port for most steamers, it is only an intermediate port of call. Considering, therefore, that a very large number of steamers to and from the East and Australia, belonging to competing lines, put in at Colombo, some of them only for a few hours, any further restrictions than those now observed with regard to Sunday labour might be productive of great loss and inconvenience, and would certainly become a cause of complaint.

8. I may add that the question has been submitted for the consideration of the Executive Council, and that the members were unanimously of opinion that there was no occasion in Ceylon for the enactment of such an Ordinance as the Hong Kong Ordinance. I concur in this opinion.

I have, &c.
(Signed) A. E. HAVELOCK.

The Right Hon. Lord Knutsford, G.C.M.G.,
&c. &c. &c.

Enclosure in No. 8.

The following amended special regulations, made by His Excellency the Governor, with the advice of the Executive Council, in pursuance of the powers vested in them by the 79th clause of Ordinance No. 17 of 1869, relating to the entry inwards and outwards, to the landing, shipping, and transhipping of goods, and to business generally connected with steamers, are hereby published for general information and observance.

That agents for steamers of such steam companies as are subsidized by Government for conveying mails may, in order that their steamers be permitted increased facilities in landing, shipping, and transhipping cargo, &c., by certain relaxations of clauses 20, 21, 22, 26, 27, 28, 30, 47, 48, 51, 52, of Ordinance No. 17 of 1869, give a guarantee by a special bond for 1,000L., holding themselves responsible or liable for any fines or penalties which may be incurred by the commanders or servants of the steamers for any discrepancies or deficiencies of cargo, or for the infringement of any of the sections of Ordinance No. 17 of 1869, which might in any way be prejudicial to the interests of the revenue.

That the commanders of these or such vessels for which the agent has given the general bond as above required may, immediately on their arrival in port, be allowed to proceed with their work of coaling, landing, or transhipping cargo, without reference to the customs authorities.

That the said agent or any person or persons employed by him (whose name or names he shall, for that purpose, submit for registration to the principal collector of customs), shall, during official hours, or as soon as the Custom House is open, at once enter the vessel, giving full particulars of cargo, &c., to be landed, as required under the clause of Ordinance No. 17 of 1869, together with a manifest for the same, as well as the total number of packages to be transhipped, as well as to what steamer they are to be transhipped, and shall at the time, or within 24 hours after departure of the steamer, deliver a correct content outwards of the cargo which has been shipped, the said agent being held responsible for the due landing, shipment, or transhipment of all cargo, and for any deficiencies or discrepancies thereof.

That all mail steamers or steamers for which agents have given this bond shall, on timely notice being given to the collector of the port, be permitted to work after office hours and during the night and on Sundays, and the said notice shall give a guarantee for the payment of the several officers the collector may think necessary to appoint for the required service.

That when officers are required for Sunday work they should be directed upon application of the agent or other person or persons employed by him as aforesaid (which

application should be made on the day previous), to be in attendance, and not to leave the town during the following day, and that after this notice has been given, should the officers' services not be required, they will be entitled to payment for the day,—having been unnecessarily detained in port.

That all amendments of reports, all application to land, ship, or tranship stores or articles not on the ship's papers, should be made by the agent of the steamer, or other person or persons employed by him as aforesaid, who will, for all the purposes of the Ordinance, be considered the legal representative of the master of the steamer to which such transaction applies.

Colonial Secretary's Office, Colombo,
4th October 1870.

By His Excellency's Command,
HENRY T. IRVING,
Colonial Secretary.

STRAITS SETTLEMENTS.

No. 9.

SIR C. C. SMITH to LORD KNUTSFORD.

(Received April 19, 1892.)

(Answered by No. 10.)

Government House, Singapore,
March 21, 1892.

MY LORD,

WITH reference to your Lordship's circular despatch of the 11th July last,† I have the honour to forward Ordinance, No. VI., of 1892, intituled "An Ordinance for restricting labour on Sunday on board vessels in the Waters of the Colony."

2. I also enclose a copy of the Attorney-General's report* on the Ordinance and his certificate* that the Royal Assent may properly be given thereto, and copies of the debates* which took place in the Legislative Council on the Bill in its different stages.

3. I introduced this measure after several conferences with the unofficial members of the Legislative Council. I adopted this course as it seemed to me most undesirable to bring in any such legislation as that referred to, unless there was a reasonable prospect of carrying it through with, at any rate, a fair measure of support from those members. It is quite true, as stated by the Attorney-General in his report, that the majority of those present voted against the Bill, but I have good reason for believing that they would not all of them have so voted had it imperilled the passing of the Ordinance.

4. It will be found that the Ordinance is based on that now in force in Hong Kong. There are, however, two important alterations to which I ought to draw your Lordship's attention. The first is, that mail steamers may be exempted from the operation of the Ordinance, and I concurred in this modification, because without it the Bill would have been thrown out by the unofficial members, and because I think that there is much force in the argument that this is a port of call only for mail steamers, and that contracts have been entered into by the Government with certain steamship companies, which at the time when those contracts were made could load and discharge cargo on Sundays as well as on other days, in the ports of the Colony. The second alteration to which I have to refer to is, that it is laid down that exemption from the operation of the Ordinance is not to be purchased by the payment of fees which would go into the Treasury as in Hong Kong, but only by order of the Governor (or his representative). Such orders would, I believe, be very sparingly given. Indeed, at the present time it only occurs to me that it would be reasonable to grant an order if a vessel came into port in a sinking state, and had to discharge her cargo, or if, on the other hand, it was, on public grounds, very urgent that certain stores or materials should be delivered at some particular place with the utmost speed; but whatever the occasion might be, it seemed to me that it is preferable, on principle, to give the Governor power to exempt rather than that exemption should be obtainable by the richer portion of the shipping community, with the result that Sunday labour would benefit the public purse.

I have, &c.

(Signed) CECIL C. SMITH.

The Right Hon. Lord Knutsford, G.C.M.G.,

&c.

&c.

&c.

Colonial Office.

* Not printed.

† No. 5 in [C. 6485], July 1891.

Enclosure in No. 9.

STRAITS SETTLEMENTS.

ORDINANCE No. VI. of 1892.

An Ordinance for restricting Labour on Sunday on board Vessels in the Waters of the Colony.
[9th March 1892.]

[L.S.] CECIL C. SMITH,
Governor and Commander-in-Chief.

It is hereby enacted by the Governor of the Straits Settlements, with the advice and consent of the Legislative Council thereof, as follows:—

Short title
and com-
mencement.
Interpreta-
tion.

1. This Ordinance may be cited as “The Sunday Labour Ordinance, 1892,” and shall come into operation on the first day of July 1892.

2. In this Ordinance—

“Vessel” shall include all steam ships and also all sailing ships of European or American construction or design, except—

(a.) ships of war belonging to Her Majesty or to any Foreign Government ;
and

(b.) such steam ships carrying mails as may from time to time be exempted from the operation of this Ordinance by notification of the Governor published in the “Gazette.”

“Cargo” shall not include mails, personal luggage, live stock, ice, or articles of food of a perishable nature.

Cargo not to
be loaded or
discharged
on Sunday.

3. (1.)—No cargo shall be received on board, loaded, worked, or discharged from any vessel within the waters of this Colony on Sunday : Provided that it shall be lawful for the Governor, by writing under his hand, to grant under special circumstances an exemption in any particular case from the provisions of this section, either for the whole or such portions of the day, and upon such conditions, as he may think proper.

(2.)—No fee shall be charged for such exemption.

(3.)—This section shall not apply to the case of the discharge of coal where no European or Eurasian or Native Christian is employed in connexion with such discharge.

Penalty for
infringement
of Ordinance.

4. (1.)—Where any cargo is received on board any vessel, or loaded, worked, or discharged contrary to the provisions of this Ordinance every master and owner or part owner of such vessel respectively, shall be liable, on summary conviction before a police magistrate, to a penalty not exceeding 1,000 dollars, or, in default of payment, to imprisonment for any period not exceeding one month.

(2.)—Any master of any vessel, on board of which cargo is received or loaded, worked, or discharged, contrary to the provisions of this Ordinance, may be arrested by a police officer, not below the rank of inspector, without warrant, and brought before a police magistrate, to be charged with an offence under this Ordinance.

Penalty for
assisting
in such
infringement.

5. The person in charge of every steam-launch, sampan, or other boat assisting, by the carriage of cargo or otherwise, in any contravention of this Ordinance, shall be liable, on summary conviction before a police magistrate, to a penalty not exceeding 50 dollars, or, in default of payment, to imprisonment for any term not exceeding 14 days.

Delegation of
power of
exemption to
the Resident
Councillors of
Penang and
Malacca and
Colonial
Secretary.

6. The Governor may delegate the exercise, in the settlements of Penang and Malacca respectively, of the power of exemption contained in section three, to the Resident Councillors of those settlements respectively, and in the settlement of Singapore, to the Colonial Secretary, but such power shall be exercised by them only in the absence from the settlement of the Governor, and in such manner as the Governor may prescribe.

Passed this 9th day of March 1892.

E. M. MEREWETHER,
Acting Clerk of Councils.

STRAITS SETTLEMENTS.

No. 10.

LORD KNUTSFORD to SIR C. C. SMITH.

SIR,

Downing Street, May 16, 1892.

I HAVE the honour to inform you that Her Majesty will not be advised to exercise her power of disallowance with respect to the Ordinance No. 6 of 1892 of the Legislature of the Straits Settlements, entitled "An Ordinance for restricting Labour on Sunday on board vessels in the waters of the Colony," a transcript of which accompanied your despatch of 21st March last.*

2. I am aware of the difficulties with which you had to contend in carrying this Ordinance, and am glad that those difficulties were successfully overcome.

3. As regards the 4th paragraph of your despatch, I am disposed to prefer the provision for charging a fee in cases in which permission is granted to work cargoes on Sunday, which is contained in the Hong Kong Ordinance, and which appears to be working well. Such a provision need not imply that permission will, as a matter of course, be given to all applicants who are willing to pay the fee, as the Governor may require evidence of actual urgency in each case as one of the conditions of granting a permit.

4. I am also not satisfied of the necessity or propriety either of the general exemption of certain mail steamers under section 2 (b), or of the provision in section 3 (3) for excepting the discharge of coal in certain cases, neither of which provisions are embodied in the Hong Kong Ordinance.

5. However, I have no wish at present to press amendments upon the Colonial Legislature on any of these points, but rather prefer that experience should dictate hereafter what modifications of the Ordinance, if any, may better ensure the attainment of the object with which it has been designed; and I shall hope to receive annual reports upon its working—the first when it has been in operation for a year—which will show the number of ships exempted, either under section 2 (b), or under section 3 (1), and the number of cases in which coal is discharged under section 3 (3).

I am asking the Governor of Hong Kong to send similar reports for that Colony.

I have, &c.

Sir C. C. Smith, G.C.M.G.

(Signed) KNUTSFORD.

GAMBIA.

No. 11.

ADMINISTRATOR LLEWELYN to LORD KNUTSFORD.

(Received July 5, 1892.)

Government House, Bathurst,

June 10, 1892.

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Circular Despatch, dated the 11th of July 1891,† transmitting a copy of an Ordinance passed in Hong Kong to restrict the loading and unloading of cargo on Sundays in the waters of that Colony.

2. On the 16th of November I laid the Circular before the Executive Council, and it was decided to refer it to the Unofficial Members of the Legislative Council for them to ascertain the feelings of the merchants on the subject.

3. At a meeting of the Legislative Council held on the 23rd November, Mr. Goddard stated that he was glad to report that the measure met with the approval of all the merchants save one, but it was decided to suspend any action in the matter until it was ascertained what was going to be done in Sierra Leone.

4. On the receipt of your Lordship's Despatch, dated the 7th ultimo,‡ in which you called my attention to the Circular of the 11th July, I at once communicated with the one opponent to the passage of the Ordinance in November last, and as I found he no longer objected I called a meeting of the Council on the 8th instant, and passed the enclosed Ordinance, No. 6 of 1892, "To restrict the loading and unloading of Cargo on Sunday in the waters of the Colony of the Gambia."

5. It is an exact copy of the Hong Kong Ordinance, except that I have fixed in the Ordinance the hours between which permission can be given to land cargo, and I have

* No. 9.

† No. 5 in [C.—6485], July 1891.

‡ Not printed.

added a clause exempting sailing vessels of under 50 tons burthen from all the provisions of the Ordinance 10 miles away from Bathurst, for it would be impossible to prevent cutters up the river from working in creeks, and it was thought better not to have in the law any restrictions which could not be enforced.

6. The mail steamers, the only English vessels that trade here regularly, advertise Fridays as the days of their arrival outwards, and Saturdays as their days of departure on the homeward voyage so they will not be inconvenienced by the Ordinance if they keep to their time-table.

I have, &c.
(Signed) R. B. LLEWELYN,
Administrator.

The Right Hon. the Secretary of State for the Colonies.

Enclosure in No. 11.

No. 6, 1892.

GAMBIA.

In the Fifty-fifth year of the reign of Her Majesty Queen Victoria.

ROBERT BAXTER LLEWELYN, C.M.G., Administrator.

At a LEGISLATIVE COUNCIL held on the Eighth day of June, in the year of Our Lord One thousand eight hundred and ninety-two.

Title.	AN ORDINANCE to restrict the Loading and Unloading of Cargo on Sunday in the waters of the Colony of the Gambia.
Enacting clause.	Be it enacted by the Administrator of the Colony of the Gambia, with the advice and consent of the Legislative Council thereof, as follows, viz. :—
Short title.	I. This Ordinance may be cited for all purposes as “The Sunday Cargo-Working Ordinance, 1892.”
Interpretation.	II. In this Ordinance the following terms shall have the respective meanings herein-after assigned to them, that is to say :— “Vessel” shall include all steam ships, all sailing ships of European construction or design, except ships of war belonging to Her Majesty or to any Foreign Government. “Cargo” shall not include mails, personal luggage, live stock, ice, or articles of food of a perishable nature required for immediate consumption. “Collector of Customs” shall include any person authorised or deputed by him to perform any duty vested in or imposed upon him by this Ordinance.
Cargo not to be worked on Sunday without permit.	III. No cargo shall be received on board loaded, worked or discharged from any vessel within the waters of this Colony on Sunday unless a permit from the Collector of Customs has been first obtained. Such permit shall be in the form of Schedule A. to this Ordinance annexed.
Application for Sunday permits.	IV. Applications for such Sunday Permits may be made at the office of the Collector of Customs on any week day not later than 3 o'clock p.m., unless some other hour shall be fixed by the Regulations herein-after provided for.
Fee for Sunday permit.	V. Unless and until such fee is altered by the Regulations herein-after provided for there shall be payable for the grant of Sunday permits the sums mentioned in Schedule B. to this Ordinance. Such fee shall be paid to the Collector of Customs, who shall pay the same into the Colonial Treasury as part of the Revenues of the Colony.
Regulations.	VI. It shall be lawful for the Administrator-in-Council to make from time to time, and when made to alter, amend, or revoke, Regulations as to the fees to be taken for Sunday permits and the hours within which applications for such permits may be made and by such Regulations to impose conditions on the grant of such permits.
Publication of regulations.	Such Regulations shall be published in the Government Gazette, and shall thereupon come into force on such day as may be therein declared, and shall have the same validity as if they were contained in this Ordinance.
Penalty for infringing Section 3.	VII. Where any cargo is received on board any vessel, or loaded, worked, or discharged contrary to the provisions of Section III. of this Ordinance the master of such

vessel, and if he shall leave the Colony before conviction, then the agent and the consignee shall be severally liable on summary conviction before the chief magistrate or two justices of the peace to a penalty not exceeding two hundred pounds, or in default of payment, to imprisonment for any period not exceeding one month.

VIII. The person in charge of every steam launch, canoe, or other boat assisting, by the carriage of cargo or otherwise, in any contravention of Section III. of this Ordinance shall be liable on summary conviction before the chief magistrate or two justices of the peace to a penalty not exceeding ten pounds, or in default of payment to imprisonment for any period not exceeding fourteen days. Penalty for assisting in such infringement.

IX. Sailing vessels under 50 tons registered tonnage shall be exempted from all the provisions of this Ordinance anywhere up the river beyond ten miles from Bathurst. Exemptions.

X. This Ordinance shall come into force on the 1st day of October 1892.

Passed in the Legislative Council this Eighth day of June, in the year of our Lord one thousand eight hundred and ninety-two.

REGINALD R. GACE,
Clerk of the Legislative Council.

Assented to in Her Majesty's name, this Eighth day of June, 1892.

R. B. LLEWELYN,
Administrator of the Colony of the Gambia.

SCHEDULE A.

Under the Sunday Cargo-working Ordinance, 1892.

The sum of _____ having been duly paid permission is hereby granted to [*] _____] the master
[*] _____] the Agents and [_____] * Insert name.
the Consignee to receive on board, load, work, and discharge cargo on and from
[*] _____] vessel named [_____] within
the waters of this Colony on Sunday the _____ day of _____ 189 , * Insert steam or sailing.
between the hours of 6 a.m. and 6 p.m.

Collector of Customs.

N.B.—Cargo-working on Sunday without a permit is punishable by a fine or imprisonment in default of payment under the Sunday Cargo-Working Ordinance, 1892.

SCHEDULE B.

Scale of Fees for the grant of Sunday Permits.

Registered Tonnage			Ten pounds.	
200 or under			Ten	
Over 200 but not exceeding 400			Fifteen	„
„ 400 „ „ 700			Twenty	„
„ 700 „ „ 1,000			Twenty-five	„
„ 1,000 „ „ 1,500			Thirty	„
„ 1,500 „ „ 2,000			Thirty-five	„
„ 2,000			Forty	„

ST. HELENA.

No. 12.

GOVERNOR GREY WILSON to LORD KNUTSFORD.

(Received August 8, 1892.)

(Answered by No. 15.)

(EXTRACT.)

The Castle, St. Helena, July 13, 1892.

I did not reply to the circular despatch of the 11th July 1891,† to which my attention is now directed, because your Lordship in Despatch of the 29th July 1891* stated: "I am not prepared to approve of the repeal of the Desecration of the Sabbath Ordinance in St. Helena," and I accepted this as an intimation that it was deemed more advisable to retain the existing stringent Ordinance than to replace it by one upon the lines of the Hong Kong law.

* No. 1.

† No. 5 in [C.—6485], July 1891.

SIERRA LEONE.

No. 13.

SIR F. FLEMING to LORD KNUTSFORD.

(Received August 11, 1892.)

(Answered by No. 20.)

Government House, Sierra Leone,

July 16, 1892.

MY LORD,

WITH reference to your Lordship's circular despatch of the 11th of July 1891, and to Major Crooks's Despatch, of the 19th of October last,* on the question of Sunday labour, I have the honour to state, as briefly as I can, what has taken place in connexion with the subject in this colony.

2. Your Lordship's despatch above mentioned, together with the copy of the Hong Kong Ordinance enclosed, were referred for report to the Queen's Advocate, and Mr. Macarthy, on the 7th of September 1891, expressed an opinion that an enactment on the lines of the Hong Kong Ordinance would be a desirable one to bring forward here. An Ordinance was consequently introduced into the Legislative Council. It was read a second time on the 19th of September, and was subsequently referred, together with the memorial from certain ministers of religion, &c. (enclosure No. 2), to a committee of the whole Council for consideration and report.

3. In the meantime petitions in favour of and against the Ordinance were presented to the Governor and Legislative Council; among them:—

1. A petition in favour of the Ordinance, from the members of St. George's Cathedral, Freetown, and others from the different parishes of the Colony.
2. A memorial from divers merchants, officers, and ministers of religion, residing in Freetown.
3. A memorial against the Ordinance from several of the principal merchants.
4. A letter from the African Direct Telegraph Company, praying that their ships might be exempted from its provisions.
5. A petition from the Compagnie Française de l'Afrique Occidentale, also asking that their vessels might be exempted.

These petitions were laid before the Legislative Council on the 26th of September last, and what was said on this occasion by Mr. Samuel Lewis, an unofficial member, when seconding a motion for the adjournment of the debate on the Sunday Labour Ordinance, *sine die*, was transmitted to your Lordship in Major Crooks's Despatch of the 19th of October 1891.

4. On my arrival in the colony in May, finding that no report had been presented by the committee on the Ordinance in question, I made inquiries about it, and was informed by the Queen's Advocate, Mr. Macarthy, that the report would be sent in in a short time. This was accordingly done, and on the 24th of June it was laid on the table of the Legislative Council. On the 7th of July, the adoption of the report was moved by Mr. Samuel Lewis, and after some lengthy observations from that gentleman it was unanimously agreed to by the Council. Your Lordship will see that the report is strongly against the passing of such a law as is proposed. I cannot say that I am disposed to concur with all the arguments put forward in this report.

Your Lordship is aware that whilst administering the government of Hong Kong, the same question came before me for consideration, and although I was not in the colony when the Sunday Labour Ordinance was there passed, I entertained a strong disposition that something should be done to check the amount of labour which was there carried on every Sunday of the year. But I am quite willing to admit that the circumstances of Hong Kong and of Sierra Leone, as bearing upon the question, are very different, and that what may be looked upon as necessary in one colony need not be so regarded in another. Hong Kong is the third largest shipping port in the world, and the unrestricted loading and unloading of the numerous ships which were in harbour during every Sunday of the year was likely, in my opinion, to deprive those who were deserving of it of one day's rest in the week, while it might interfere with the religious feelings of others. But in Sierra Leone, as I have above observed, the circumstances are different. I do not desire to enter into the questions of the revenue falling off, nor of vessels being diverted to other ports; these are, in my opinion, matters subordinate to other more important points connected with the subject under consideration.

* No. 5 in [C.—6485], July 1891, and No. 6 in this paper.

5. If I thought that the loading and unloading of ships on a Sunday in Sierra Leone was carried on so as to interfere to any extent with that rest which I considered the natives of the colony should indulge in, or in such a way as would really interfere with the religious feelings of the small European community which exists here, I should naturally entertain the same opinion about it as I did in Hong Kong. When I find, however, that the total number of vessels that worked cargoes during the whole year of 1891 was only 38, and that, with the exception of seven Sundays in the year, there was, on the remaining Sundays, but one vessel in port loading or unloading, I cannot bring myself to believe that it would be necessary to enforce legislation on the subject against the wishes of the majority of the community, at all events, as represented by the Legislative Council.

It is possible that the shipping of Sierra Leone may increase; it is possible that Sunday labour may augment with it, and that the time may come when the colony will feel the desirability of possessing such a law as is proposed; but, for the present, I should question the necessity of passing such a measure.

Should your Lordship, however, be of a different opinion, it will, of course, be my duty to proceed with the Ordinance a copy of which I enclose for your Lordship's information, which has already been read a second time in the Legislative Council.

I have, &c.

The Right Hon.
Lord Knutsford, G.C.M.G.,
&c. &c. &c.

(Signed) F. FLEMING,
Governor,

Enclosure 1 in No. 13.

THE SUNDAY CARGO-WORKING ORDINANCE, 1891.

At two meetings of the members of Saint George's Cathedral, held in the Cathedral Schoolroom on Friday, 29th January, 1892, Mr. N. E. Browne, Chapter's Warden, being in the chair, the following resolution was proposed, seconded, and carried, and ordered to be forwarded to the Legislative Council:—

“That this meeting, deeply regretting the largely increasing amount of working of cargoes on Sundays in cases where this is altogether unnecessary, whereby not only is the Lord's Day desecrated but also a great many are deprived of their undoubted right to a day of rest, and thus prevented from attending Divine worship, records its great satisfaction that, at the suggestion of the Secretary of State for the Colonies, a Bill has been laid before the Legislative Council of the Colony to prevent such unnecessary Sunday labour; and would earnestly request His Excellency the Governor and the Legislative Council, in the interests of the Colony, to pass the said Bill without further delay.

“Signed on behalf of the members of the above church,

(Signed) E. G. SIERRA LEONE.
 JNO. E. TAYLOR.
 J. U. GRANT.”

Enclosure 2 in No. 13.

To His Excellency Sir WILLIAM H. QUAYLE JONES, Governor and Commander-in-Chief, &c., and the LEGISLATIVE COUNCIL of the Colony of SIERRA LEONE.

MAY it please your Excellency and Honourable Members of the Legislative Council—

We, merchants, officers, ministers of religion, &c., resident in Freetown, Sierra Leone, venture most respectfully to approach your Excellency and the Legislative Council, and to state that, whereas we have heard that a despatch has been received from the Right Honourable the Secretary of State for the Colonies, suggesting the discontinuance of the practice of loading and unloading vessels in our harbour on the Sunday, and whereas, in our opinion, such a measure would be a great boon to the community, involving no hardship, but affording great relief to many who frequently find themselves robbed of their weekly day of rest, and also their opportunity of attending Divine worship, by duties involved in the present practice:

Hereby desire to express our hearty sympathy with the measure that has been laid before your Excellency in Council, and our earnest hope that, fortified by the suggestion

of the Secretary of State, and by the knowledge that the Bill will be most acceptable to the community, you will not hesitate to pass the same without further delay, notwithstanding the very natural opposition of vested interests.

We beg to state that the following signatures have been strictly limited in number, because it was deemed advisable that only such names should be appended as would represent some trade, profession, office, or landed interest in the city and neighbourhood.

And your petitioners will ever pray that your Excellency and Council may be guided aright in all things.

(Signed)	THOS. S. BUCKLEY, for Fisher and Randall, Limited.
"	HY. BURNETT, for Sierra Leone Coaling Company.
"	WM. ELLIS, for Pickering and Berthoud.
"	SYD. STUART, for Broadhursts, Sons and Co.
"	CECIL W. POOLEY, for Yates and Porterfield.
"	P. LEMBERG, Merchant.
"	W. C. BETTS, Merchant.
"	Rev. J. R. FREDERICK, Presiding Elder of the Sierra Leone Annual Conference of A. M. E. Church.
"	Rev. W. G. HUMPHREY, Secretary C. M. S.
"	Rev. JNO. E. TAYLOR, Assistant Colonial Chaplain.
"	Rev. WM. VIVIAN, General Supt. U. M. F. Churches.
"	E. G. SIERRA LEONE.
"	W. R. COCKILL, General Supt. Wesleyan Mission.
"	And other signatories.

Enclosure 3 in No. 13.

To His Excellency the ADMINISTRATOR of the GOVERNMENT and the Honourable the LEGISLATIVE COUNCIL of the Colony of SIERRA LEONE.

THE humble petition of the undersigned merchants, owners, or agents of, or for, steamers and other vessels plying in and out of the port of Freetown.

That it has come to the knowledge of your petitioners that there is before your Honourable Council a measure for restricting the working of cargoes in the harbour on Sundays, and that this measure will come up for its second reading to-day. Your petitioners pray that your Honourable Council may be pleased to postpone the second reading for a little time in order that we may be enabled to give its proposed provisions due consideration.

Your petitioners have seen the draft Ordinance to-day for the first time, and so far as a hasty perusal affords, we are of opinion that some amendment will be necessary to provide for certain contingencies.

And your petitioners will ever pray.

For Fisher and Randall, Limited, Owners and Agents, B. and A. S. N. Co., Limited,

(Signed) THOS. S. BUCKLEY.

Pp. The African Steamship Company,

(Signed) JOHN GRANT.

Pp. Cie. Française de l'Afrique Occidentale, Owners and Agents for Societe des Chargeurs Reunis, Cie. Fraissinet and Co., Prince Line of Steamers, Cie. Transatlantica Espaniola,

(Signed) A. POURRIERE.

Paterson and Zochonis and Co., Limited, Owners and Agents for Afrikanische, Dampfschiffs, A. G. Woermann Line,

(Signed) W. H. DAVY.

Sierra Leone,

September 19, 1891.

To His Excellency the ADMINISTRATOR and the Honourable MEMBERS of the LEGISLATIVE COUNCIL of the Colony of SIERRA LEONE.

THIS memorial sheweth—

The undersigned are deeply sensible of the privilege afforded them to consider the proposed Ordinance for restricting the loading and discharging of cargo on Sunday in the waters of the colony.

We assume that the object of the proposed legislation is to practically prohibit the working of cargoes to and from mail and other steamers and vessels in the harbours of the colony on Sundays, in which object we entirely concur, and beg most respectfully to lay before you the following observations and suggestions, which we venture to think will tend to the equitable and effective working of the proposed enactment.

Sec. I. That the words "European construction or design" in the first defining paragraph be struck out, and the term "vessel" made to include ships or crafts of all descriptions, even to native built canoes.

That the second defining paragraph should read, "Cargo shall not include mails, personal luggage, live stock, water ice, ship stores, medical comforts, or articles of food necessary for immediate consumption."

The omission of the words of a perishable nature is suggested inasmuch as some articles of food which might be required could not exactly be regarded as of a perishable nature in the sense implied.

Sec. II. That the word "worked" be struck out. To forbid a master to rearrange the cargo already on board his vessel would, we feel, be an undue interference with his prerogative in regard to the internal management and economy of his ship. We cannot think that this is intended, and therefore ask for the omission of word to prevent misconstruction.

Sec. III. That provision be made for the issue of permits under the Ordinance on a Sunday without extra charge, and also for a drawback of fees paid in case of the non-use of a permit procured for and before the arrival of a ship.

Sec. IV. That the latter part of the section from and including the words "unless and until" to the end be struck out.

Sec. V. No alteration proposed.

Sec. VI. Do. do.

Sec. VII. The powers to be given by this section to the Governor in Council are, in our opinion, not necessary, and we respectfully suggest that this and the succeeding section (VIII.) be struck out.

Sec. IX. To hold the agent or consignee of a vessel responsible for acts of the master would lead to grave injustice. No agent or consignee can have any control over the master of a ship in regard to his individual acts.

The deposit with the Collector of Customs of the ship's papers will, in our opinion, afford to the Government sufficient control over the movements of any vessels, or their masters, trading to this colony. We therefore respectfully, but strongly, suggest the removal from this section of the portion holding agents or consignees responsible for the acts of masters. The fine of 200*l.* could, we think, with reason be reduced to 100*l.*, which is the maximum specific fine recoverable under the Customs' Ordinances, and would be quite sufficient for the purpose.

Sec. X. That the first part of this section should read: "Any person or persons who, by means of any vessel, steam launch, boat, or canoe knowingly assists by the carriage," &c., to the end of the section, excepting the amount of fine, which we suggest should be fixed at 20*l.*, *i.e.*, proportionate to the fine of 100*l.* under the preceding section. We suggest this alteration because it might occur that such assistance would be rendered owing to the false representations of the master or other person representing the ship, and because the section as framed would render the owner of the craft liable in cases where he had simply hired his craft to the person who might be proved guilty, and that without anticipating any such infraction of the law.

Schedule A. That the word "work" be struck out as in section II.

Schedule B. We suggest the following scale of fees:—

	£
100 tons or under	10
Over 100 tons, and under 200 tons	15
200 " " 400 " "	20
400 " " 700 " "	30
700 " " 1,000 " "	40
1,000 " " 1,500 " "	50
1,500 " " 2,000 " "	60
2,000 " "	75

Additions Suggested.

That the Ordinance should clearly set forth whether or not, in cases of transshipment, permits would be required for both receiving and delivering vessels, or whether the

permit for the larger vessel would be sufficient for all transshipping to and from her. We further submit that provision should be made for the free loading, discharging, transshipping, ^{and}_{or} landing of cargo in case of wreck, casualty, or danger to shipping, or in any case of emergency or reasonable cause being shown to the Collector of Customs.

In support of the last paragraph, it has at times occurred that a local steamer or craft has been in harbour awaiting a mail or other steamer to tranship when a sudden emergency has arisen necessitating the discharge of the cargo to shore, as, for instance, the arrival of news of the dangerous illness of an employé, and it has been requisite to despatch the steamer, or other craft, to the outlying station for the purpose of bringing such employé to town for medical attendance.

It might likewise happen for a vessel to render requisite assistance in case of wreck, &c.; her own cargo would of necessity have to be landed to enable her to be of such assistance. Other cases of emergency might arise, but we think the foregoing will illustrate our meaning.

We feel that so far from obstacles being put in the way of acts of common humanity, every facility should be given, and have no doubt that your Excellency and the Honourable Council will be of the same opinion.

Your memorialists pray that their suggestions and recommendations above made may receive your favourable consideration.

For Fisher and Randall,

(Signed) THOS. S. BUCKLEY, Sub-Agent.

Pp. Cie. Française de l'Afrique Occidentale,

(Signed) A. POURRIERE.

Paterson, Zochonis and Co., Limited,

(Signed) N. H. DAVY.

Pp. The Sierra Leone Coaling Company,

(Signed) JOHN GRANT.

Sierra Leone,

September 26, 1891.

Enclosure 4 in No. 13.

SUPERINTENDENT of the DIRECT TELEGRAPH COMPANY to COLONIAL SECRETARY.

The African Direct Telegraph Company, Limited,
Sierra Leone Station,

SIR,

September 23, 1891.

I HAVE the honour to acknowledge the receipt of the draft of the "Sunday Cargo-working Ordinance," and thank you for same.

I beg to ask if his Excellency would kindly make some provision for telegraph ships in this Ordinance, as it would be absolutely necessary for our ships to work on Sundays for repairs in the waters of this colony in case of a breakage of cable, so as to restore communication between the colony and other parts of the world as soon as possible.

I hope that his Excellency will kindly look into this matter and see his way to exempt our telegraph ships from such duties as mentioned in the Ordinance.

I have, &c.

(Signed) A. G. CEFFALA,
Superintendent.

The Hon. the Colonial Secretary,
Sierra Leone.

Enclosure 5 in No. 13.

COMPAGNIE FRANCAISE DE L'AFRIQUE OCCIDENTALE.

Siege Social Marseille, Sierra Leone,
September 23, 1891.

THE petition of the Compagnie Française de l'Afrique Occidentale humbly sheweth:—

1. That your petitioners for themselves as steamship owners, and the various French steamship companies they represent here, beg to approach your Excellency and the Members of the Legislative Council on the subject of an Ordinance which is being passed into law to restrict the loading or unloading of cargo on Sunday in the waters of the colony of Sierra Leone,

2. That among the various French steamship companies they represent here, there are two of them in particular, viz., Chargeurs Reunis and Fraissinet Cie, which are under special contract with the French Government to run the French mails within a specified time, and a heavy penalty in case of failure even for few hours.

3. That the total proceeds of freight and passages by the aforementioned companies' steamers for this port do not remunerate them for the deviation from the voyage either way, and to detain them in port, even for few hours, in case of arrival on Sunday, with such inadequate compensation, would discourage and deter them from running their steamers here as frequently as they would desire, and thereby cause a section of the inhabitants of this colony to suffer pecuniarily.

Under the circumstances, your petitioners beg most respectfully to solicit that your Excellency and Members of the Legislative Council be pleased to take their petition into consideration, especially with reference to the Cie Chargeur Reunis and Fraissinet Cie, and exempt them from the restriction in the Ordinance referred to.

And your petitioners, as in duty bound, will ever pray.

Pp. Cie. Française de l'Afrique Occidentale,

(Signed) A. POURRIERE,

Agents for Chargeurs Reunis.

„ Cie. Fraissinet.

Enclosure 6 in No. 13.

REPORT of the COMMITTEE of the LEGISLATIVE COUNCIL on the MEMORIAL and RESOLUTION to the SUNDAY LABOUR BILL.

The Committee of the Legislative Council are of opinion that legislation in Sierra Leone is altogether unnecessary to interfere with the loading and unloading of ships on Sundays, and that it is likely to do material injury to the colony.

2. The representations made against the practice of loading and unloading of ships on Sunday proceed from two classes of persons, namely :—

(a.) The class representing the Protestant churches in Freetown and the neighbourhood, and who have forwarded a resolution.

(b.) The other being residents of Freetown, and who have presented a memorial.

3. The former take only the religious ground, that the Sabbath is desecrated, and that a great many are deprived of a rest day and of the opportunity of attending divine worship.

4. The latter appear to base their objection upon a wider ground, by the suggestion that the discontinuance of Sunday shipping labour would be a great boon to the colony ; but, neither in their memorial itself, nor in the arguments of the deputation before this Committee, was that suggestion supported, or attempted to be, by considerations other than those involved in the contention on religious grounds, unless it be by the casual observation made by one of the members of the deputation that some of the employés in the shipping service could not conveniently arrange for going out of town for a day's recreation at the end of the week. If this mean anything it is advocating a new line of Sunday labour in the employment of hammockmen, boatmen, or chair-drivers. This will probably not meet with the approval of the religious section of the objectors who require, and usually employ, their Sabbath for attendance at various services connected with religion.

5. The memorial advances the statement that a discontinuance of the shipping labour would involve no hardship. One of the important points to consider is what the views and interests of steamship owners are. If they agree with the memorialists and desire the discontinuance of Sunday labour in their ships, this consent on the part of the principal parties concerned, and having the power voluntarily to stop it, renders legislation altogether unnecessary for its prevention.

6. But, though the representatives of the firms acting as agents here of the principal lines of steamships that will be affected by the proposed measure have signed the memorial, they do not do so, and it seems they have purposely abstained from doing so, on behalf of the shipowners. Therefore, and from an observation in the memorial that there is a "very natural opposition of vested interests" to the Bill, it may be inferred that the memorialists are aware that the shipowners are opposed to the measure.

7. It was stated by a member of the deputation that the English Mail Steamship Companies, which do the bulk of our carrying trade, have to pay double wages to the men employed in the Sunday work. From this fact, as well as from the petition which,

on behalf of the two French Mail Steamship Companies running their vessels here, was presented to the Governor and Legislative Council on the 26th of September 1891, it is more evident that the steamship owners are not in favour of the Bill.

8. Admitting the existence of this opposition on their part, is any good reason shown by the resolution or memorial for legislative resistance to it? Practically, the objection of the deputation and those they represent is based on what has been broadly called the religious ground. That branch of the objection which proceeds on the allegation of Sabbath desecration in breach of the Fourth Commandment is shorn of all its strength in the mouth of the objectors who would not apply their principles to other classes of labour than that connected with shipping, and to the question which was directly addressed to the members of the deputation, whether it was their desire that all other Sunday labour should be prohibited, no adequate answer was made, nor was any reason given to justify their tacit desire for an exemption in their own favour of much unnecessary Sunday labour which, it was pointed out to them, many of themselves employ in the persons of hammock carriers and others. The Bishop's letter of 9th February 1892, moreover, avoids this question.

9. In answer to the allegation that the Sunday shipping labour involves a denial of rest, or of the opportunity of attendance on divine worship to "a great many," the deputation was reminded what they were not able to gainsay, that, with the exception of a very few clerks, the persons who perform this labour are those who not only do so voluntarily, but who, being either Mahomedans or Pagans, do not ask for Sunday as a day of rest or require it for any religious observance whatever. With regard to Christians, it may be urged that if they are as unanimous in their opposition to the traffic as their resolution suggests, they need not engage in it at all. But it is unnecessary to pursue this line of argument when the undeniable fact is, that with the very small exception referred to of clerks, the Christian population is in no way prevented by the labour in ships from participating in their Sunday religious observances or deprived of their rest.

10. The arrival or departure of outward-bound steamers might have involved the labour on Sunday of a larger number of Christians had there been a necessity for the importers of goods to receive them or pass their entries on that day. But this is not the case. The Christian persons so engaged in the unloading of import goods from a ship, besides two of the ship's officers who overlook the discharge, would consist of three or four clerks in the service of the shipowners or their agents, and about the same number of customs clerks who, it may be observed, do not seem to object to the work but rather to like it, as they receive extra fees for its performance. With respect to ships receiving cargoes here, whereas the number of customs clerks required would be less, there might be an increase in that of the mercantile clerks engaged, who, in this case, would be in the employment not of the shipowners but of the exporting firms. If each of these firms ship in every vessel that takes cargo on Sundays, the number of clerks engaged for the service might then reach eight at the outside. Taking 1891 as a fair basis for estimating the average inconvenience of possible church attendants, the total number of vessels that worked cargoes in the whole year and on 30 Sundays only, were—

Outwards	-	-	-	-	18
Homewards	-	-	-	-	19
Coastwise	-	-	-	-	1

On each of these Sundays, except seven, there was only one vessel in port loading or unloading.

11. Further, as the work on board the ships does not proceed beyond 5 p.m. at the latest, these church-goers may, if they are disposed, attend their usual evening services at 7 p.m.

12. The allegation of inconvenience or deprivation of the opportunity for divine worship to "a great many" is, therefore, not supported, even if the local heads of the mercantile firms be added to the number of persons who would have to employ their Sundays in work connected with their export of produce.

13. From the foregoing statement as to the class of persons employed on Sundays in the import branch of the shipping labour, it will have been seen that the merchant and his employé are not interested in or inconvenienced by it. In the export branch, in which he is, to some extent, interested, the character of the trade of Sierra Leone, depending so little upon its own productions, precludes the merchant from offering to shipowners, as is done in some ports on the coast, sufficient inducement to stay over the Sunday for cargo.

A member of the deputation explained that the necessity for meeting his engagements in Europe obliges the merchant here to take advantage of the Sunday to ship his stuff,

otherwise it might be left behind with injurious consequence abroad to the firm. If then, the merchant is unable to delay his shipment over Sundays, the result to him of the success of the present Sunday labour agitation would be to compel the ships either to wait or to seek elsewhere the complement of their homeward cargo. Even if some inconvenience to the mercantile community had been shown to exist to warrant the request for legislation, this Committee do not think it prudent to seek to attain the first of these alternative results. If the compulsory delay of the ships is not followed by a sensible increase of freight and rates of passage, both of which are to be deplored, the present class of ships must seek employment elsewhere, and throw the colony back upon a slower and otherwise inferior description of ships.

14. In the interest of the merchants themselves, on whose operations the welfare of the colony is largely dependent, it appears to the Committee that the proposed restriction of Sunday labour should not be sanctioned.

15. In connexion with any measure which may affect the trade of the colony, the Committee have to consider how any mistake made may result in the diversion of the trade into the French territories on the north of Sierra Leone. Everything now happening in the French colonies and spheres of influence to the north and east of this colony suggests extreme caution on our part not to perform an act which will further French policy, always pursued to secure protection of the trading interests of their own nation and the diversion of our local trade into their colonies. The Committee are of opinion that, in the face of these facts, it will not be wise to throw any obstacle in the way of shipping such as is now proposed, without some urgent case of hardship or wrong proved to exist calling for redress.

16. It is doubtful whether the Bill, as read in the Legislative Council, would prevent the coaling of ships on Sundays. The principal merchants in Freetown, consisting of some of the same firms who have signed the memorial, are opposed to the prohibition of the shipping on Sunday of "ship stores," which term will include coal for ship's use; and, therefore, in their memorial of the 26th September 1891, addressed to the Administrator and the Legislative Council when the Bill was under the consideration of that Council, they proposed to exempt "ship stores" from its operation. At any rate, it does not appear advisable to this Committee to destroy the growing importance to which this port is becoming as a coaling station, by the interposition of delays to vessels calling here only to coal. If this is the view of these merchants it would seem not to have occurred to them that the only good reason for the exception of the coaling of ships is the same which makes it necessary to allow other steamships to load and unload ordinary cargoes, namely, the necessity for speedy despatch.

17. Yet, if the reasons assigned by the memorialists and others for preventing the working of cargoes on Sundays is of any value, they will apply equally to the coaling of ships, and, indeed, so far as clerks are employed in connexion with them, even to mail steamers that touch at this port bringing only passengers and mails.

18. The Committee, in view of all the circumstances of the case, report to the Governor and Legislative Council as their opinion, that the prayer of the memorialists and the signatories of the resolution be not entertained.

(Signed) SAML. LEWIS.

20th May 1892.

LABUAN.

No. 14.

The BRITISH NORTH BORNEO COMPANY to COLONIAL OFFICE.

(Answered by No. 24.)

15, Leadenhall Street, E.C.,
August 12, 1892.

SIR,

I AM desired by the Court of Directors to forward to you the enclosed copy of a despatch from the Acting Governor of Labuan and British North Borneo, in reply to Lord Knutsford's circular of 11th July 1891,* on the subject of Sunday labour in connexion with the loading or discharging of vessels; from which it will be seen that the

* No. 5 in [C.—6485], July 1891.

Acting Governor deprecates any legislation for the prevention of such labour, under the circumstances in which the Colony is at present placed.

I am, &c.

The Hon. Robt. H. Meade, C.B., (Signed) BENJ. KINDERSLEY,
 &c. &c. &c. Secretary.
 Colonial Office.

Enclosure in No. 14.

SIR,

Governor's Office, Sandakan, June 21, 1892.

By last mail I received a circular from Lord Knutsford, calling attention to the fact that his circular letter of 11th July last had not been answered. I am sorry for this, but I drafted a letter at the time and sent it down to the office, but the clerk seems to have put it away, and the letter has never been written.

2. The circular in question forwarded a copy of the Hong Kong Ordinance lately passed to restrict the loading and unloading of cargo on Sunday in the waters of that Colony. It provided that with certain exceptions (men-of-war) no cargo (except mails and personal baggage, live stock, and food of a perishable nature) should be worked except under a "permit," to be granted on payment of certain fees; and Lord Knutsford requested the Officer Administering the Government to consider the advisability of enacting a similar measure in Labuan, and desired that if no objection were seen, an Ordinance should be introduced for the purpose.

3. I would ask you to state to his Lordship that there are grave objections to such a law in Labuan. Unless a similar law was enacted in Sarawak, Brunei, and British North Borneo ships would be certain to avoid Labuan, and having regard to the very small number of vessels which trade between Labuan and Singapore, the only port of any size with which there is any direct trade, it would be serious injury to Labuan if only one ship were to miss making her usual call there. The more scarce the visits of ships, the greater the importance of regularity; while the smaller the port the less need for a particular day's rest. I am of opinion that the suggested law might seriously hamper the trade of Labuan, while it would benefit but an infinitesimal number of Europeans or Christians. With the exception of a supervision by the ship's officers, the whole work of loading and unloading is done at Labuan by Chinese and natives, who have certainly no wish for a day on which they will not be able to earn any money.

4. I would, therefore, respectfully deprecate any such legislation for Labuan at least until the neighbouring States of Sarawak, Brunei, and British North Borneo have a similar law. As the Council of last-named State has advised against such legislation, I do not see any chance of its being carried out there. Nor is it probable in Brunei. About Sarawak, I have no information. At the same time some of the Council think that a charge might be made, as it is in Sandakan and Rudat, of \$1 an hour for Sunday daylight work, and \$2 an hour for night work, the amount paid being distributed among those clerks who work the extra hours. To that I see no objection.

5. I would ask you to furnish his Lordship with such of the above reasons as commend themselves to the court.

Richard B. Martin, Esq.,
 Chairman, British North Borneo Company.

I have, &c.
 (Signed) ALEX. COOK,
 for Acting Governor.

ST. HELENA.

No. 15.

LORD KNUTSFORD to GOVERNOR GREY WILSON.

(EXTRACT.)

Downing Street, August 16, 1892.

I HAVE the honour to inform you, with reference to your Despatch of the 13th of July,* that you were right in concluding that no alteration need be made in the regulations with regard to Sunday labour in St. Helena.

GOLD COAST.

No. 16.

SIR W. B. GRIFFITH to LORD KNUTSFORD.

(Received September 10, 1892.)

Government House, Christiansborg Castle, Accra,

MY LORD,

August 10, 1892.

REFERRING to the correspondence* noted in the margin, I have the honour to transmit, for the signification of Her Majesty's pleasure, authenticated copy in duplicate of Ordinance No. 9 of 1892, intituled, "An Ordinance to restrict the loading and unloading of cargo on Sunday in the waters of the "Colony," which was passed by the Legislature of this Colony on the 15th day of July.

I have, &c.

(Signed)

W. BRANDFORD GRIFFITH,

The Right Hon. Lord Knutsford, G.C.M.G.,

Governor.

&c.

&c.

&c.

Enclosure 1 in No. 16.

Gold Coast Colony.

In the fifty-sixth year of the reign of Her Majesty Queen Victoria.

Sir WILLIAM BRANDFORD GRIFFITH, K.C.M.G., Governor.

AN ORDINANCE to restrict the loading and unloading of cargo on Sunday in the waters of the Colony. [15th July 1892.]

Title.

Date.

Be it enacted by the Governor of the Gold Coast Colony with the advice and consent of the Legislative Council thereof, as follows:—

Enactment.

1. In this Ordinance unless the context otherwise requires,—

Interpretation.

"Vessel" includes all steamships and also all sailing ships of European construction or design, except ships of war belonging to Her Majesty or to any Foreign Government.

"Cargo" does not include mails, personal luggage, live stock, ice, or articles of food of a perishable nature required for immediate consumption.

"Comptroller of Customs" includes the Commissioner of any District other than the Accra District and, in the absence of the Commissioner from a port where a permit is applied for, the principal officer of Customs for the time being stationed at such Port.

2. No cargo, shall be received on board, loaded, worked or discharged from any vessel, within the waters of this Colony on Sunday, unless a "permit" from the Comptroller of Customs has been first obtained by the master of such vessel or his agent. Such permit shall be in form (1) in the Schedule to this Ordinance.

Permit required for loading, &c. on Sunday.

5. Applications for such Sunday permits may be made at the Customs office at any port during office hours on any week day, unless some other time shall be fixed by the rules hereinafter provided for.

Application for Sunday permits.

4. Unless and until such fee is altered by the rules hereinafter provided for, there shall be payable for the grant of a Sunday permit the sum mentioned in Form (2) in the Schedule to this Ordinance. Such fee shall be paid to the Comptroller of Customs and be accounted for by him to the Treasurer to be applied for the purpose of the general revenue.

Fee for Sunday permit.

5. It shall be lawful for the Governor in Council to make from time to time, and when made to alter, amend or revoke rules for regulating the fees to be taken for the grant of Sunday permits, and the hours within which applications for such permits may be made, and the conditions upon which such permits may be granted, and the hours for working under them, and, subject to the provisions of this Ordinance, for further or better carrying out the purposes thereof and to annex and appoint a penalty not exceeding five pounds in respect of the breach of any such rules. Such rules shall come into force upon the publication thereof in *the Gazette* or at such time thereafter as may be in such

Regulations may be made, &c.

* Nos. 9 and 33 in [C.—6348], April 1891, and No. 5 in [C.—6485], July 1891.

rules provided and shall have the same validity as if they were contained in this Ordinance.

Penalty for
infringing
section 2.

6. Where any cargo is received on board any vessel or loaded, worked, or discharged contrary to the provisions of section 2 of this Ordinance, the master of such vessel, and the shipper or consignee in the Colony of such cargo shall be severally liable on summary conviction before a District Commissioner to a penalty not exceeding two hundred pounds or in default of payment to imprisonment with or without hard labour for any period not exceeding one month.

Penalty for
assisting in
such in-
fringement.

7. The person in charge of every steam-launch, surf boat or other boat assisting, by the carriage of cargo or otherwise, in any contravention of section 2 of this Ordinance shall be liable on summary conviction before a District Commissioner to a penalty not exceeding ten pounds or in default of payment to imprisonment with or without hard labour for any term not exceeding fourteen days.

Short title
and com-
mencement.

8. This Ordinance may be cited as "The Sunday Cargo Working Ordinance, 1892," and shall come into operation on the 1st day of January, 1893.

SCHEDULE.

FORM I.

Sunday Permit under Ordinance No. 9 of 1892 (The Sunday Cargo Working Ordinance.)

* Insert
name.

† Insert
"steam" or
"sailing."

The sum of £ having been duly paid, permission is hereby granted to
[*] the Master [or the Agent of the Master] to receive on board, load,
work and discharge cargo on and from the [†] vessel named []
within the waters of this Colony on Sunday, the day of ,
189 , between the hours of and ,

A.B.,
Comptroller of Customs,
or other authorised Officer.

N.B.—Cargo-working on Sunday without a permit is punishable by a fine or imprisonment in default of payment under "The Sunday Cargo Working Ordinance, 1892."

FORM II.

Scale of Fees for the Grant of Sunday Permits.

	£
Registered Tonnage—400 or under, - - - -	15
Over 400 but not exceeding 700, - - - -	20
" 700 " " 1,000, - - - -	25
" 1,000 " " 1,500, - - - -	30
" 1,500 " " 2,000, - - - -	35
" 2,000 " " - - - -	40

Passed in the Legislative Council this fifteenth day of July, in the year of our Lord, one thousand eight hundred and ninety-two.

H. M. HULL,
For Clerk of the Legislative Council.

I assent to this Ordinance this 15th day of July, 1892.

W. BRANDFORD GRIFFITH,
Governor.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council and found to be a true and correct printed copy of the said Bill.

H. M. HULL,
For Clerk of the Legislative Council.

GIBRALTAR.

No. 17.

The MARQUESS OF RIPON to SIR LOTHIAN NICHOLSON.

SIR,

Downing Street, December 5, 1892.

I HAVE had under my consideration your despatch of 4th September 1891,* giving special reasons why it would, in your opinion, be unadvisable to enact an Ordinance in Gibraltar restricting Sunday labour in the harbour.

I should have been glad to see such an Ordinance passed, but I will not further press the matter in opposition to your views.

General Sir L. Nicholson, R.E., K.C.B.

I have, &c.
(Signed) RIPON.

MALTA.

No. 18.

The MARQUESS OF RIPON to SIR H. A. SMYTH.

SIR,

Downing Street, December 5, 1892.

WITH reference to your despatch of 9th October 1891,† I have the honour to inform you that I concur in your view that it would be unadvisable, at any rate for the present, to invite the Council of Government to enact an Ordinance for restricting Sunday labour in the harbour, though I should have been glad if it had been found that local feeling was more favourable to such a measure.

Governor Sir H. A. Smyth, K.C.M.G.

I have, &c.
(Signed) RIPON.

MAURITIUS.

No. 19.

The MARQUESS OF RIPON to LIEUTENANT-GOVERNOR JERNINGHAM.

SIR,

Downing Street, December 5, 1892.

I HAVE had under my consideration Sir Charles Lees' despatch of 8th October 1891,‡ reporting that the working of cargoes in the waters of the Colony on Sunday is already prohibited, except with the written permission of the Collector of Customs, which is only given in very special cases.

Under these circumstances, I agree with you that no further legislation on the subject is required.

Lieut.-Governor H. Jerningham.

I have, &c.
(Signed) RIPON.

SIERRA LEONE.

No. 20.

The MARQUESS OF RIPON to SIR F. FLEMING.

SIR,

Downing Street, December 5, 1892.

I HAVE carefully considered Major Crooks's despatch of 19th October 1891,§ and your despatch of 16th July last,|| urging the undesirability of proceeding with the proposed legislation for restricting Sunday labour in the harbour of Sierra Leone.

* No. 2.

† No. 3.

‡ No. 5.

§ No. 6.

|| No. 13.

In view of all the circumstances of the case as presented in those despatches, I assent to your proposal that no further action should be taken in the matter, although I should have been glad to see such a measure adopted in the Colony of Sierra Leone.

Sir F. Fleming, K.C.M.G.

I have, &c.
(Signed) RIPON.

BARBADOS.

No. 21.

The MARQUESS OF RIPON to Sir J. S. HAY.

Sir, Downing Street, December 8, 1892.
WITH reference to Major-General Tongue's despatch of 29th September 1891,* I have the honour to inform you that I agree that there is no sufficient reason for introducing in Barbados any law for restricting Sunday labour in the port, since such labour is very infrequent, and only undertaken in cases of necessity.

Sir J. S. Hay, K.C.M.G.

I have, &c.
(Signed) RIPON.

JAMAICA.

No. 22.

The MARQUESS OF RIPON to Sir H. A. BLAKE.

(Answered by No. 27.)

Sir, Downing Street, December 8, 1892.
WITH reference to Major-General Black's despatch of 21st October 1891,† I have the honour to inform you that I concur in the view that no legislation for further restricting the loading and unloading of cargoes on Sunday is required in Jamaica.

2. Such Sunday labour, except in certain specified cases, or by special permission of the Chief Officer of Customs, is in fact prohibited by ss. 70, 100 and 138 of the Customs Consolidated Law 18 of 1877, to which attention was not drawn in your despatch of 23rd September 1890‡ on this subject.

3. In that despatch you stated that Sunday labour was to some extent carried on in the port of Kingston, especially in the case of fruit ships. I presume that this refers chiefly to the unshipping of fresh fruit, which is specially exempted from the general prohibition under s. 70 of the Customs Law and that it is not the general practice to allow also the embarkation of fruit, which (under s. 100) could only be carried on by the special permission of the Collector of Customs. Such permission should in my opinion only be granted in exceptional cases of real necessity.

Sir H. A. Blake, K.C.M.G.

I have, &c.
(Signed) RIPON.

CEYLON.

No. 23.

The MARQUESS OF RIPON to Sir A. E. HAVELOCK.

(Answered by No. 28.)

Sir, Downing Street, December 8, 1892.
I HAVE had under my consideration your Despatch of 29th November 1891,§ expressing the opinion that there is no occasion in Ceylon for the enactment of an Ordinance such as was recently passed in Hong Kong, for further restricting the working of cargoes on Sunday in the waters of the Colony.

* No. 4.

† No. 7.

‡ No. 27 in [C. 6348], April 1891.

§ No. 8.

2. Such Sunday labour is already prohibited in Ceylon by sections 28 and 48 of the Customs Ordinance No. 17 of 1869, except in the cases provided for by any special regulations, which the Governor may issue under section 79 of that Ordinance, such as those of 4th October 1870, a copy of which accompanied your despatch.

3. It is not clear from the wording of those regulations whether the exemption was not intended to be confined to the "steamers of such steam companies as are subsidized by Government for conveying mails," but I gather from your despatch that the exemption is granted to other steamers besides mail steamers, and that the amount of Sunday labour carried on by virtue of these regulations is considerable.

4. I am of opinion that no sufficient reason exists for allowing such a wide exemption from the legal prohibition of the Sunday working of cargoes and on such easy terms, and I think it desirable, unless you see strong reason to the contrary, that the regulations should be amended on this point by increasing the fees that are now charged for permission to work cargoes on Sunday.

5. An Order was issued in Bombay in 1882, with the view of restricting Sunday labour in the harbour, to the following effect:—

"Sunday working on board steamers in the harbour, shall be permitted on payment, in addition to the ordinary fees now levied, of a fee equal to one day's demurrage, subject to a minimum charge of fifty rupees, and a maximum charge of two hundred rupees, for each ship on board of which work is carried on, demurrage for this purpose to be calculated at the rate of $6\frac{1}{4}$ annas per ton of registered tonnage."

This Bombay precedent was followed in the Hong Kong "Sunday Cargo working Ordinance," under which an inclusive fee is charged, ranging from 75 dollars to 200 dollars, and I see no reason why the rule adopted at Bombay, which is certainly not a terminal port as regards a great part of its shipping, should not be followed in Colombo and the other ports of Ceylon.

6. As regards the seventh paragraph of your despatch under acknowledgment, I have to point out that though Hong Kong is a terminal port for some steamers, it is not so for many steamers, including the principal mail steamers (whether of the English, French, or German lines).

The law in Hong Kong has been in operation for over a year, and very few permits for Sunday working under it have been applied for, and, so far as I am aware, no complaints have been made by any mail or other steamship companies, of the charges levied for such permits.

7. The increased fees in Ceylon might, as at present, be partly devoted to the payment of the extra wages of the officials who are required to attend, and who might, I think, be properly paid for that day at the rate of a day and a half's wages.

Sir A. Havelock, K.C.M.G.

I have, &c.
(Signed) RIPON.

LABUAN.

No. 24.

COLONIAL OFFICE to the BRITISH NORTH BORNEO COMPANY.

[See No. 31.]

SIR,

Downing Street, December 8, 1892.

I AM directed by the Marquess of Ripon to acknowledge the receipt of your letter of 12th August last,* enclosing a despatch from the Acting Governor of Labuan, in which he deprecates the passing of any legislation in Labuan for restricting Sunday labour in connexion with the loading or discharging of vessels.

I am to state in reply that it would, in Lord Ripon's opinion, be desirable that a special fee should be charged, as suggested in the fourth paragraph of the Acting Governor's despatch, in connexion with such Sunday labour; and his Lordship would be glad if the Court of Directors of the British North Borneo Company would instruct the Governor of Labuan to that effect.

The Secretary to the British North
Borneo Company.

I am, &c.
(Signed) EDWARD FAIRFIELD.

ST. VINCENT.

No. 25.

SIR W. HELY HUTCHINSON to the MARQUESS OF RIPON.

(Received January 12, 1893.)

(Answered by No. 26.)

Grenada, December 23, 1892.

Forwarded.

(Signed) WALTER HELY HUTCHINSON.

The Most Hon. the Marquess of Ripon, K.G., G.C.S.I.,
&c. &c. &c.Government House, St. Vincent,
December 19, 1892.St. Vincent,
Sept. 6, 1892.

SIR,

WITH reference to the Secretary of State's Despatch, noted in the margin, on the subject of Sunday Labour in Colonial Ports, I have the honour to report that the need for legislation on the subject does not exist, as no Sunday work is performed here.

2. Should the necessity arise, however, extra payment is made to those employed, under special sanction, during the emergency.

3. His Honour Colonel Sandwith referred this matter to the Executive Council on the 2nd ultimo, and they agree that legislation is not required.

I have, &c.

(Signed)

IRWIN C. MALING,
Administrator.His Excellency the Hon. Sir Walter Hely Hutchinson,
&c., &c., &c.,
Grenada.

ST. VINCENT.

No. 26.

THE MARQUESS OF RIPON to SIR W. HELY HUTCHINSON.

SIR,

Downing Street, January 21, 1893.

I HAVE the honour to acknowledge the receipt of your despatch of the 23rd ultimo,* and to inform you that I agree that legislation is not required in St. Vincent to restrict Sunday Labour in the waters of the Colony.

I have, &c.

(Signed) RIPON.

Governor Sir W. Hely Hutchinson.

JAMAICA.

No. 27.

SIR H. A. BLAKE to the MARQUESS OF RIPON.

(Received March 23, 1893.)

MY LORD,

Kings House, Jamaica, March 2, 1893.

WITH reference to your Lordship's despatch of the 8th December† last, on the subject of Sunday labour on the wharves in Kingston, I have the honour to inform your Lordship that I conveyed to the Collector-General your opinion that the permission of the Customs Department for the carrying on of such work should only be granted in exceptional cases of real necessity, and I directed Mr. Batten to issue orders accordingly.

2. I have since learnt that the Atlas Company has been in the habit for some months past of working at their wharf in Kingston on Sunday, and I have directed that it must cease unless the agent of the Company can show a necessity for it which is not at present apparent.

I have, &c.

(Signed)

HENRY A. BLAKE,
Governor.The Most Hon. the Marquess of Ripon, K.G.,
&c. &c. &c.

CEYLON.

No. 28.

SIR A. E. HAVELOCK to the MARQUESS OF RIPON.

(Received April 24, 1893.)

(Answered by No. 30.)

Queen's Cottage, Nuwara Eliya, Ceylon,
March 31, 1893.

MY LORD MARQUESS,

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch, of the 8th December last,* on the subject of restricting the working of cargoes on Sunday in the harbours of the Colony.

2. In reply, I have the honour to inform your Lordship that the fees charged for permission to work cargoes on Sunday have, with the object of meeting your Lordship's wishes, been increased, the Bombay scale, suggested by you, having been adopted. I enclose a copy of the amended regulations which have been issued on the subject.

3. As regards the last paragraph of your Lordship's despatch, I beg to annex a copy of a letter from the Principal Collector of Customs stating the scale of fees now paid to the customs' officers employed on Sunday work, and to report that, as those fees are considered sufficiently large, it is not thought desirable to increase them. Any balance of the proceeds of the charges made for Sunday working, after payment of the fees of the officers employed on Sunday, will be credited to the harbour fund.

4. It will be seen that the Principal Collector of Customs thinks that the newly established restriction should not apply to steamers calling on Sunday only to coal or merely to tranship cargo, when the warehouses are not opened. I do not agree with the Principal Collector of Customs. The object of the restriction is to reduce Sunday work in the harbours of the Colony, including coaling and transhipping of cargoes with other work. I have therefore caused the Principal Collector of Customs to be instructed that a uniform rate of fees must be charged for permission to work cargoes on Sunday, no matter what the precise description of that work may be.

I have, &c.

(Signed) A. E. HAVELOCK.

'The Most Hon. the Marquess of Ripon, K.G.,
&c. &c. &c.

Enclosure 1 in No. 28.

Colonial Secretary's Office,
Colombo, March 30, 1893.

It is hereby notified that the Governor, with the advice of the Executive Council, has, in terms of section 79 of Ordinance No. 17 of 1869, made the special regulations in Schedule A. hereto, relating to the entry inwards and outwards of steamers, and the landing, shipping, and transhipping of goods by them, with effect from the 2nd day of April 1893, and the same are hereby published for general information.

Special Regulation 4, contained in the notification of the 6th October 1892, is hereby cancelled as from and after the 2nd day of April 1893, aforesaid.

By His Excellency's command,

(Signed) E. NOEL WALKER,
Colonial Secretary.

SCHEDULE A.

Steamers of companies for which the general bond required by Regulation 1 of the 6th day of October, 1892, has been given shall, on timely notice being given to the collector of the port, be permitted to work after hours and during the night, except on Sundays. The said notice shall constitute a guarantee for the payment of the several officers whom the collector may think necessary to appoint for the required service.

Sunday working on board steamers in the harbour shall be permitted on payment, in addition to the ordinary fees now levied, of a fee equal to one day's demurrage, subject to a minimum charge of Rs. 50, and a maximum charge of Rs. 200 for each ship on board which work is carried on. Demurrage for this purpose to be calculated at the rate of 38 cents per ton of the registered tonnage.

Enclosure 2 in No. 28.

SIR,

Customs, Colombo, March 25, 1893.

In reply to your letter of the 24th instant, I have the honour to state that the following fees are at present paid to officers employed on Sunday work :—

—	6 a.m. to 4 p.m.		After 4 p.m., per Hour.	
	Rupees.	Cents.	Rupees.	Cents.
Landing Surveyor - - -	10	—	3	—
Landing Waiter - - -	5	—	1	50
Locker - - -	1	75	—	50
Tide Waiter - - -	1	25	—	25

Hitherto mere coaling and transhipment of goods from ship to ship (no warehouse being opened) have been allowed on payment of—

—	6 a.m. to 4 p.m.		After 4 p.m., per Hour.	
	Rupees.	Cents.	Rupees.	Cents.
Charges Officer - - -	5	—	1	50
Tide Surveyor - - -	1	75	—	50
Tide Waiters (each) - -	1	25	—	25

I think this practice should be continued, and that the proposed restrictions should not apply to steamers calling on Sunday only to coal, or merely to tranship cargo, when the warehouses are not opened.

The Hon. the Colonial Secretary.

I am, &c.
(Signed) R. REID,
Principal Collector.

SEYCHELLES.

No. 29.

LIEUT.-GOVERNOR SIR HUBERT JERNINGHAM to the MARQUESS OF RIPON.
(Received May 1, 1893.)

MY LORD,

Government House, Mauritius,
March 24, 1893.

I HAVE the honour to submit, for Her Majesty's most gracious confirmation and allowance, Seychelles Ordinance, No. 13, of 1892, "To restrict the loading and unloading of cargo on Sunday in the waters of the Dependency."

I have, &c.
(Signed) HUBERT E. H. JERNINGHAM,
Lieutenant-Governor.
The Marquess of Ripon, K.G.,
&c. &c. &c.

Enclosure 1 in No. 29.

Government House, Seychelles,

March 13, 1893.

SIR,

WITH reference to Lieut.-Governor Sir Hubert Jerningham's Despatch of the 1st February, I have the honour to state that I assented upon the 21st February to "An Ordinance to restrict the loading and unloading of cargo on Sunday in the waters of the Dependency."

2. The usual number of sealed, signed, and printed copies of the Ordinance, which now becomes No. 13 of 1892, are herewith enclosed.

3. The usual report by the judge was enclosed in my Despatch of the 12th January last.

I have, &c.

(Signed)

T. RISELY GRIFFITH,
Administrator.

His Excellency Sir Charles Cameron Lees, K.C.M.G.,
Governor and Commander-in-Chief,
Mauritius.

No. 13 of 1892.

In the Fifty-sixth year of the Reign of Her Majesty Queen Victoria.

T. RISELY GRIFFITH, C.M.G., Administrator.

(29th December, 1892.)

At a Legislative Council held on the 29th day of December, in the year of Our Lord
One thousand eight hundred and ninety-two.

An Ordinance "to restrict the loading and unloading of cargo on Sunday in the waters of the Dependency." Title.

WHEREAS it is expedient to restrict the loading and unloading of cargo on Sunday in the waters of the Dependency. Preamble.

Be it therefore enacted by the Administrator of the Seychelles Islands, with the advice and consent of the Legislative Council thereof, as follows:— Enacting clause.

I. This Ordinance may be cited for all purposes as the Sunday Cargo Working Ordinance, 1892. Short title.

II. In this Ordinance the following terms shall have the respective meanings herein-after assigned to them; that is to say:— Interpretation.

"Vessel" shall include all steam ships, and also all sailing ships of European construction or design, except ships of war belonging to Her Majesty or to any Foreign Government and mail steamers.

"Cargo" shall include coal and ballast, but shall not include mails, personal luggage, live stock, ice, or articles of food of a perishable nature required for immediate consumption.

"Port Officer" shall include any person authorised to perform any duty vested in or imposed upon the officer holding that title by this Ordinance.

III. No cargo shall be received on board, loaded, worked or discharged from any vessel, within the waters of this Dependency on Sunday, unless a "permit" from the Port Officer has been first obtained. Such permit shall be in Form (1) in the Schedule to this Ordinance. Permit required for loading, &c. on Sunday.

IV. Applications for such Sunday permits may be made at the Port Office on any week day, and if not made till the Saturday preceding the Sunday for which the permit is required, such application must be made not later than 1 p.m., unless some other hour shall be fixed by the regulations herein-after provided for. Application for Sunday permits.

V. Unless and until such fee is altered by the regulations herein-after provided for, there shall be payable for the grant of a Sunday permit the sum mentioned in Form (2) in the Schedule to this Ordinance. Such fee shall be paid to the Port Officer and be accounted for by him to the Treasurer, to be applied for the purpose of the general revenue. Fee for Sunday permit.

Provided that it shall be lawful for the Administrator in any case of grave emergency to authorise the loading or discharge of any cargo without payment of any fee. Proviso in case of grave emergency.

Regulations
may be
made, &c.

VI. It shall be lawful for the Administrator in Executive Council to make from time to time, and when made to alter, amend, or revoke regulations as to the fees to be taken for the grant of Sunday permits and the hours within which applications for such permits may be made, and by such regulations to impose conditions on the grant of such permits and to fix the hours for working under them.

Such regulations shall be published in the Government Gazette, and shall thereupon come into force on such day as may be therein declared and have the same validity as if they were contained in this Ordinance.

Penalty for
infringing
clause 3.

VII. Where any cargo is received on board any vessel or loaded, worked, or discharged contrary to the provisions of Clause 3 of this Ordinance, the master of such vessel shall be liable on summary conviction before the Court of Seychelles to a penalty not exceeding Rs. 1,000, or in default of payment to imprisonment for any period not exceeding one month.

Proviso.

Provided that if, after due summons to answer to the charge, the said master shall leave the Dependency before conviction, the agent of the ship and the consignee of the cargo shall in case of conviction be held severally liable for the payment of the fine.

Penalty for
assisting
in such
infringement.

VIII. The person in charge of every steam launch, lighter, or other boat assisting, by the carriage of cargo or otherwise, in any contravention of Clause 3 of this Ordinance shall be liable, on summary conviction before the Court of Seychelles, or such other Court as may have jurisdiction in such matters, to a penalty not exceeding Rs. 100, or, in default of payment, to imprisonment for any term not exceeding 14 days.

Commence-
ment of
Ordinance.

IX. This Ordinance shall come into operation on the date of its publication in the Government Gazette.

Passed in the Legislative Council this 29th day of December, in the year of Our Lord, One thousand eight hundred and ninety-two.

GEO. GEMMELL,

Acting Clerk of the Legislative Council.

Assented to in Her Majesty's name, this 21st day of February 1893.

T. RISELY GRIFFITH.

Administrator.

SCHEDULE.

FORM 1.

Sunday Permit.

Under Ordinance No. of 1892. (The Sunday Cargo Working Ordinance.)

The sum of Rs. having been duly paid, permission is hereby granted to [*] the Master [] the Agents and [] the Consignee to receive on board, load, work, and discharge cargo on and from the [†] vessel named [] within the waters of this Dependency on Sunday the day of 189 , between the hours of [] and [].

A.B.,

Port Officer.

N.B.—Cargo-working on Sunday without a permit is punishable by a fine or imprisonment in default of payment under the Sunday Cargo Working Ordinance, 1892.

FORM 2.

Scale of Fees for the grant of Sunday Permits. Registered Tonnage.

						Rs.
	400 or under	-	-	-	-	150
Over	400 but not exceeding	700	-	-	-	200
"	700	"	"	1,000	-	250
"	1,000	"	"	1,500	-	300
"	1,500	"	"	2,000	-	350
"	2,000	-	-	-	-	400

* Insert names.

† Insert "steamer" or "sailing."

Enclosure 2 in No. 29.

Government House, Seychelles,
January 12, 1893.

SIR,

WITH reference to Colonial Office Circular Despatch of 11th July 1891,* and Despatch of 7th May 1892, I have the honour to state that at a Legislative Council, held upon the 29th December last, "An Ordinance to restrict the loading and unloading of cargo on Sunday in the waters of the Dependency," passed its third reading.

The Ordinance, with trifling exceptions, notably the proviso to Clause VII., and a diminution in the scale of fees for the grant of Sunday permits is a reproduction of the Hong Kong Ordinance, a printed copy of which accompanied the Circular Despatch.

The Ordinance, curiously enough, met with opposition from the unofficial members, and a record of their objections is to be read in the copies of the minutes, herewith attached, of the meeting at which the Ordinance was discussed.

Four copies of the Ordinance, together with the usual report upon it by the judge,† are herewith enclosed.

I await your Excellency's authority for my assent.

His Excellency Hubert E. H. Jerningham, C.M.G.,
Lieut.-Governor, Mauritius.

I have, &c.
(Signed) T. RISELY GRIFFITH,
Administrator.

Extract from Minutes of the Proceedings of the Legislative Council, at a meeting held at Government House on Friday the 25th November 1892.

PRESENT :

His Honour T. RISELY GRIFFITH, C.M.G., Administrator.

The Honourable R. M. Brown, Judge.

"	"	G. A. Banbury, Collector of Customs and Treasurer.
"	"	W. A. Furteau, Acting Auditor.
"	"	F. Hodoul.
"	"	E. Serret.
"	"	N. Joutanis.

On the orders of the day being proceeded with, the Hon. the Judge moved the second reading of an Ordinance to restrict the loading and unloading of cargo on Sunday in the waters of the Dependency, that the Council go into Committee, and that the Ordinance be read over clause by clause.

Seconded by the Hon. the Collector and Treasurer.

The Hon. F. Hodoul asked to be allowed to make some remarks on the subject and said that in his opinion the proposed Ordinance was not applicable to this Dependency, as the abuse which it intended to restrict does not exist.

No Sunday cargo working is carried on in this port. The merchant vessels visiting our harbour are very few. They consist besides the mail steamers of three colonial schooners averaging in all some 700 to 800 tons; and six or seven large ships importing coal and going out in ballast.

Of course when the mail steamers come in on a Sunday their cargo is unloaded and loaded immediately. This is a general rule in all colonial ports. Mail steamers cannot be detained and must have full dispatch.

The coal ships never work on Sundays, there is no occasion for it. They receive immediate dispatch and their lay-days are never used in full. Then where is the abuse which is to be restricted; where is the expediency declared in the preamble? No, there is no Sunday cargo working in the waters of the Dependency. Therefore there is no possibility to restrict it.

Whether through religious conviction, laziness, or want of work, the Sunday is kept in Port Victoria. This is sufficiently satisfactory. The Ordinance will produce no material effect either for good or evil because it is groundless, and I see no necessity to legislate without reason. It will be full time to do so if ever in the course of our life,

* No. 5 in [C—6485], July 1891.

† Not printed.

and for the good fortune of Seychelles, hundreds of ships frequent this harbour as is the case with Hong Kong.

The Hon. E. Serret said he seconded the Hon. F. Hodoul's motion.

The Hon. the Judge said that this Ordinance was introduced to meet the wishes of the Secretary of State, who desired that it should be so introduced if there was no objection to such a course. The object was not the repression of abuses actually existing in Seychelles, but to secure uniformity of legislation throughout Her Majesty's possessions upon a question of principle. The expediency was not local but general. Though abuses did not exist now they might arise in the future. He was not aware of any actual necessity for the measure from local causes, but it could not do harm and might do good. As it was agreed that Sunday labour in the harbour was not desirable he saw no reason why the law should not be passed.

The Hon. F. Hodoul said that the Secretary of State had expressed a desire, but that as no work was going on on Sundays in the harbour he moved that the introduction of the Ordinance was premature.

Seconded by the Hon. E. Serret.

The Hon. the Collector and Treasurer said that when the matter was first brought before the Council he was not aware that work was ever performed on Sundays in this harbour, but since then he had himself witnessed two instances, and therefore he not only thought there was necessity, but that it was desirable, on the grounds of uniformity in Colonial legislation and the non-breaking of the Sabbath as suggested by the Secretary of State.

The Hon. E. Serret said that as a matter of principle the Ordinance is not in any way shown to be of any use for this Dependency, as up to this time the Sabbath day has been strictly observed.

The Hon. the Collector and Treasurer called the hon. member's attention to the two instances which he had cited.

The Hon. E. Serret, continuing, said that as a fact no regular work had ever been done in this harbour—that the Ordinance would be vexatious and ran against the general feelings. That very few vessels frequented Seychelles, that, as no regular work was done on Sundays, the little that was done tended to the benefit of the starving population.

His Honour the Administrator said that if hon. members had perused the parliamentary papers which he had laid on the table, it would be seen therefrom that it was because the Sabbath was not observed in some colonial ports as it should be that the Secretary of State had pointed out the advisability of passing such an Ordinance, unless objection could be seen to such a course. Whilst he personally agreed in the general sense that Sunday labour did not exist, there was no reason why an Ordinance, preventing its possibility in the future, should not be introduced.

The Hon. F. Hodoul said since the real object was to keep the Sabbath, and as the Sabbath is so kept here, he did not see why an Ordinance should be passed preventing a wrong that does not exist.

The Hon. the Judge's motion, seconded by the Hon. the Treasurer, that the Ordinance be read a second time having been opposed by the Hon. F. Hodoul, and by the Hon. E. Serret, the motion was put to the vote with the following result :

For the Second Reading.

Against.

The Hon. the Judge.

The Hon. F. Hodoul.

„ the Collector and Treasurer.

„ E. Serret.

„ the Acting Auditor.

„ N. Jouanis.

His Honour the Administrator said that in view of the observations of the Secretary of State, and as from the remarks of hon. members who opposed the motion they had failed to convince him that any reason existed why the Ordinance should not be passed, he voted for the second reading.

The Council went into Committee and the Ordinance was read over clause by clause.

Clause II., definition of word "cargo," the clause was amended and to read as follows :—

"Cargo" shall include coal and ballast, but shall not include mails, personal luggage, live stock, ice, or articles of food of a perishable nature required for immediate consumption.

Definition of word "Port Officer" amended as follows :—

Port Officer shall include any person authorised to perform any duty vested in or imposed upon the officer holding that title by this Ordinance.

Clause IV., 1 p.m. to be inserted instead of 3 p.m.

Clause V. read and agreed to, the following proviso being added :—

Provided that it shall be lawful for the Administrator in any case of grave emergency to authorise the loading or discharge of any cargo without payment of any fee.

Clause VI. read and agreed to.

Clause VII. amended and to read as follows :—

VII. Where any cargo is received on board any vessel or loaded, worked, or discharged contrary to the provisions of Clause 3 of this Ordinance, the master of such vessel shall be liable on summary conviction before the Court of Seychelles to a penalty not exceeding Rs. 1,000, or in default of payment to imprisonment for any period not exceeding one month. Penalty for infringing clause 3.

Provided that if after due summons to answer to the charge the said master shall leave the Dependency before conviction the agent of the ship and the consignee of the cargo shall, in case of conviction, be held severally liable for the payment of the fine. Proviso.

Clauses VIII. and IX. read and agreed to.

Scale of Fees to be charged for permit under schedule :—

Registered Tonnage.						Rs.
400 or under	-	-	-	-	-	150
Over 400 but not exceeding 700	-	-	-	-	-	200
" 700 "	"	1,000	-	-	-	250
" 1,000 "	"	1,500	-	-	-	300
" 1,500 "	"	2,000	-	-	-	350
" 2,000	-	-	-	-	-	400

Committee reported progress and the Council resumed.

Ordinance read a second time.

Minutes of the proceedings of the Legislative Council, at a meeting held at Government House on Thursday the 29th December 1892.

PRESENT :

His Honour T. RISELY GRIFFITH, C.M.G., Administrator.

The Honourable R. M. Brown, Judge.

" " G. A. Banbury, Collector of Customs and Treasurer.

" " W. A. Furteau, Acting Auditor.

" " F. Hodoul.

" " N. Jouanis.

ABSENT :

The Honourable E. Serret.

Read and confirmed minutes of meeting held on 25th November 1892.

* * * *

On the orders of the day being proceeded with, the Hon. the Judge moved, seconded by the Hon. the Collector and Treasurer, the third reading of an Ordinance "To restrict the loading and unloading of cargo on Sunday in the waters of the Dependency," and that it be taken as read.

The Hon. N. Jouanis said on principle he opposed the Ordinance and therefore opposed the third reading.

The Hon. the Judge's motion for the third reading was then put to the vote with the following result:

For the Third Reading.

Against.

The Hon. The Judge.

The Hon. F. Hodoul.

" The Collector and Treasurer.

" N. Jouanis.

" The Acting Auditor.

Motion carried by a majority of one.

The Ordinance was then read a third time.

The Hon. the Judge, seconded by the Hon. the Acting Auditor, moved that the Ordinance do pass and become law.

Ordinance passed.

CEYLON.

No. 30.

The MARQUESS OF RIPON to LIEUTENANT GOVERNOR SIR E. N. WALKER.

SIR,

Downing Street, May 4, 1893.

I HAVE the honour to acknowledge the receipt of Sir A. Havelock's Despatch, of 31st March last,* forwarding copy of a notification issued for the purpose of restricting Sunday labour in the harbours of the Colony.

I am glad to learn that this step has been taken, and I concur in the views expressed by the Governor in the third and fourth paragraphs of his despatch.

The Officer Administering the Government.

I have, &c.
(Signed) RIPON.

LABUAN.

No. 31.

ORDINANCE No. 11, of 1893.

An ORDINANCE to restrict the LOADING and UNLOADING of CARGO on SUNDAY in the WATERS of the COLONY.

(L.S.) CHARLES VANDELEUR CREAGH, Governor.

By His Excellency CHARLES VANDELEUR CREAGH, Companion of the Most Distinguished Order of St. Michael and St. George, Governor and Commander-in-Chief of the Colony of Labuan and its Dependencies.

Sandakan, 1st May, 1893.

It is hereby enacted by the Governor of Labuan as follows :—

Short title.

1. This Ordinance may be cited as *The Sunday Cargo-Working Ordinance*, 1893.

Interpretation.

2. In this Ordinance the following terms shall have the respective meanings herein-after assigned to them, that is to say :—

“Vessel” shall include all steamships, and also all sailing ships of European construction or design, except ships of war belonging to Her Majesty or to any Foreign Government.

“Cargo” shall not include mails, personal luggage, live stock, ice, or articles of food of a perishable nature required for immediate consumption.

“Harbour Master” shall include any person duly authorised or deputed to perform any duty vested in or imposed upon the Harbour Master by this Ordinance.

Permit
required for
loading, &c.
on Sunday.

3. No cargo shall be received on board, loaded, worked or discharged from any vessel, within the waters of this Colony on Sunday, unless a “Permit” from the Harbour Master has been first obtained. Such permit shall be in form (1) in the Schedule to this Ordinance.

Application
for Sunday
permits.

4. Applications for such Sunday Permits may be made at the Harbour Master's Office on any week day, during office hours unless some other time or place shall be fixed by the regulations herein-after provided for.

Fee for Sun-
day permit.

5. Unless and until such fee is altered by the regulations herein-after provided for, there shall be payable for the grant of a Sunday Permit the sum mentioned in form (2) in the Schedule to this Ordinance. Such fee shall be paid to the Harbour Master and be accounted for by him to the Treasurer to be applied for the purpose of the general revenue.

Regulations
may be
made, &c.

6. It shall be lawful for the Governor to make from time to time, and when made to alter, amend or revoke regulations as to the fees to be taken for the grant of Sunday Permits, and the hours within which applications for such permits may be made, and by such regulations to impose conditions on the grant of such permits, and to fix the hours for working under them.

Such regulations shall be published in the *Gazette* and shall, thereupon, come into force on such day as may be therein declared, and have the same validity as if they were contained in this Ordinance.

7. Where any cargo is received on board any vessel or loaded, worked or discharged contrary to the provisions of section 3 of this Ordinance, or to any regulation or condition made or imposed under section 6, the master of such vessel, and if he shall leave the Colony before conviction, then the agent and the consignee shall be severally liable on summary conviction before a police magistrate to a penalty not exceeding \$1,000, or in default of payment to imprisonment for any period not exceeding one month. Penalty for infringing section 3.

8. The owner and the person in charge of every steam-launch, sampan, junk or other boat assisting, by the carriage of cargo or otherwise, in any contravention of section 3 of this Ordinance, shall be liable on summary conviction before a police magistrate to a penalty not exceeding \$50, or in default of payment to imprisonment for any term not exceeding 14 days. Penalty for assisting in such infringement.

9. This Ordinance shall come into operation on the 1st June, 1893. Commencement of Ordinance.

By His Excellency's Command,

D. CATOR,

Secretary to the Governor.

SCHEDULE.

(FORM I.)

SUNDAY PERMIT.

Under Ordinance No. II. of 1893 (The Sunday Cargo-working Ordinance).

The sum of \$ _____ having been duly paid, permission is hereby granted to [*] the Master [] the Agents and [] the Consignee to receive on board, load, work and discharge cargo on and from the [†] vessel named [] within the waters of this Colony on Sunday the _____ day of _____ 189 between the hours of _____ and []. * Insert names.
† Insert "steam" or "sailing."

A.B.,
Harbour Master.

N.B.—Cargo-working on Sunday without this permit is punishable by fine or imprisonment in default of payment under *The Sunday Cargo-Working Ordinance*, 1893.

(FORM 2.)

Scale of Fees for the grant of Sunday Permits.

- (1.) Between the hours of 6 a.m. and 6 p.m. \$3 for every hour or part of an hour.
- (2.) Between the hours of 6 p.m. and 6 a.m. \$5 for every hour or part of an hour.